



# PAJARO VALLEY WATER MANAGEMENT AGENCY

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Board of Directors Meeting  
City Council Chambers

May 28, 2008, 7:00 pm  
250 Main Street, Watsonville, CA

## MEETING MINTUES

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 95076, at 7:00 p.m. By Chair Osmer  
  
Board Members Present: Osmer, Cervantes, Eiskamp, Kegebein, Imazio, Dobler, Koenig  
  
Board Members Absent: None  
  
Staff Members Present: Mary Bannister, Technical Division Manager (TDM)  
Veronica Barboza, Administrative Analyst (AA)  
Nancy Trevino, Financial Analyst (FA)  
  
Others Present: Anthony Condotti, Counsel
2. **Oral Communications:** Joseph Pendry inquired about the term date for the Ad Hoc Executive Committee and also inquired about the recruitment of a General Manager or Interim General Manager.
3. **Director Comments and Counsel Reports:** Director Dobler reported on his attendance at the ACWA Conference.
4. **Presentations:**
  - A. Receive report on close-out of 2006-2007 Coastal Distribution Construction Project and on Watsonville Area Recycled Water Facility: Fred Miles of Fred Miles Engineer Consulting Services reported on the updated Coastal Distribution System (CDS) Project, Projects teams, and planned construction and summarized contract information as of April 30, 2008. He stated that CDS Projected is anticipated to close-out in June 2008. Mike Jaeger, Covello Group updated the Board on the Recycled Water Facility and anticipated an end date of December 14, 2008.
5. **Ad Hoc Executive Committee Comments:** None
6. **Consent Agenda**
  - A. Approve April 16, 2008 Minutes
  - B. Approve Disbursement Ledger for April 2008
  - C. Approve Financial Reports for April 2008

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

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

**7. Discussion and/or Action Items:**

A. Consider approval of Preliminary Budget for FY 2008-2009: The TDM introduced the preliminary budget to the board. TDM stated that the budget included a narrative, major assumptions and a rate re-establishment. The TDM recommended that staff needs to work on some revisions and will bring back at a future meeting. The Board agreed and a meeting was set forth for June 4, 2008 to adopt the new proposed Preliminary Budget.

B. Consider Recommendation of Ad Hoc Executive Committee regarding possible General Manager Recruitment or Interim General Manager Position: Director Osmer reported that the Board of Directors had set May 7, 2008 as a date to consider an alternative to the management of the Agency by the current Ad Hoc Executive Committee. Director Osmer recommended that the Board direct the current Ad Hoc Executive Committee to negotiate with the Technical Division Manager on terms of employment in the Interim General Manager position and return to the Board with a detailed recommendation.

◆ Motion by Director Imazio to recommend the Ad Hoc Executive Committee to negotiate with the Technical Division Manager on terms of employment in the Interim General Manager position as presented. Motion carried by the following roll call vote:

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

C. Discuss County of Santa Cruz Groundwater Emergency Recommendation: TDM reported that on November 20, 2007 the Santa Cruz County Board of Supervisors directed the County Water Resources Division Director to request a report from the Agency with a plan of action to secure necessary financing to fully address groundwater overdraft in the basin. She further stated that the Ad Hoc Executive Committee submitted a response to the Board of Supervisors, and County staff had prepared a draft "Summary of Points" for the June 10, 2008 Board Meeting. After further discussion, the Board recommended a Public Hearing with the Santa Cruz County Board of Supervisors.

◆ Motion by Director Eiskamp to recommend a public hearing to consider a Groundwater Emergency as presented. Motion carried by the following roll call vote:

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

D. Introduction of Ordinance 2008-02 Establishing Rules and Regulations for Recycled Water Customers: TDM introduced the this item and stated that the Agency needs to adopt a set of rules and regulations for recycled water customers in order to obtain necessary permits to deliver recycled water to customers in the Coastal Distribution System. Director Kegebein noted to the TDM that the rules and regulation that were included in the board packet was incorrect. TDM agreed to have staff bring back the corrected version to the next board meeting.

- E. Consider approval of contract with TriAxial Data Systems for Development and Population of a Customer Payment Database: Director Osmer stated that the upcoming refund process will need the enhancement with TriAxial Data Systems to develop a population database. After discussion, the following action was taken:

◆ Motion by Director Dobler to approve the contract with TriAxial Data Systems for Development and Population of a Customer Payment Database as presented. Motion carried by the following roll call vote:

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

- F. Consider approval of Resolution 2008-08, Certifying Compliance with State law Respect to the Levying of General and Special Taxes, Assessments, and Property-Related Fees and Charges: The TDM explained that every year by August 1st, the Agency must file a resolution with the assessors of Santa Cruz County, San Benito County, and Monterey County in order for the counties to continue collecting the management fee pursuant to the Agency Act. After discussion, the following action was taken:

◆ Motion by Director Cervantes to approve Resolution 2008-08, as presented. Motion carried by the following roll call vote:

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

- G. Consider approval of Resolution 2008-09, Ordering an Election Requesting Monterey, San Benito and Santa Cruz County and Requesting Consolidation of the Election: TDM reported that the terms of office for Director Michael Dobler, representing Division "B", and Director John Eiskamp, representing Division "D", will expire in December 2008. She further stated that California Election Code requires that all special districts adopt a resolution and order consolidating with the November general election. Special districts are also required to file maps and elections forms with counties to meet specific deadlines. After discussion, the following action was taken:

◆ Motion by Director Cervantes to approve Resolution 2008-09, as presented. Motion carried by the following roll call vote:

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

## 8. Future Meetings and Agenda Items

- A. Strategic Planning & Public Outreach (SPPO) Committee- June 10, 2008, 4:00 pm, PVWMA Conference Room
- B. Administrative/Finance Committee- June 11, 2008, 4:00 pm, PVWMA Conference Room
- C. Board Meeting- June 11, 2008, 7:00 pm, "Old" Watsonville City Council Chambers
- D. Board Meeting – June 18, 2008, 7:00 pm, "Old" Watsonville City Council Chambers

- E. Water Quality and Project Operations Committee – June 20, 2008, 2:00 pm- 4:00 pm, Waste Water Treatment Facility

**9. Closed Session – Need Closed Session from Tony**

Conference with Legal Counsel: Liability Claims

- A. Conference with Legal Counsel: Liability Claims

Claimants: Sunrise Growers

Claim against: PVWMA

- B. Conference with Legal Counsel – Pending Litigation

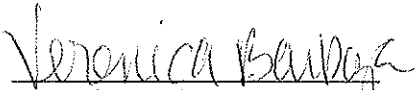
Pursuant to Government Code Section 54956.9 (a)


Significant exposure to litigation pursuant to Government Code Section 54956.9 (b):

(One potential case)

The closed session convened at approximately 9:10 p.m. with Directors Osmer, Imazio, Cervantes, Kegebein, Eiskamp, Dobler and Koenig. Technical Division Manager Bannister and General Counsel Condotti were also present. During the closed session the Board took the following action: By motion (Cervantes, 7-0), the Board accepted the liability claim of Sunrise Growers, Inc., in the amount of \$1,426.00. The claim pertains to crop losses resulting from the Coastal Distribution System (CDS) construction. The closed session concluded at approximately 9:30 p.m.

**10. Adjourned at: 9:30 pm**

  
Veronica Barboza, Secretary

  
Date approved