



**MINUTES**  
**of the Regular Meeting**  
**Monterey Regional Water Pollution Control Agency**  
**Board of Directors**  
**May 24, 2004**

**1. CALL TO ORDER**

The Regular Meeting of the Board of Directors of the Monterey Regional Water Pollution Control Agency was Called to Order by Chair Pendergrass at 7:00 p.m. on Monday, May 24, 2004, in the Board Room of the Administrative Offices at 5 Harris Court, Building D, in Ryan Ranch at Monterey.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**BOARD MEMBERS PRESENT:**

David Pendergrass, Chair	Sand City
Gloria De La Rosa, Vice- Chair	Salinas
Ramiro Cortez	Boronda County Sanitation District
Carlo Cortopassi	Castroville Service Area 14
Jack D. Barlich	Del Rey Oaks
Charles Scholl	Marina Coast Water District
Theresa Canepa	Monterey
Peggy Shirrel	Moss Landing County Sanitation District
W.B. "Butch" Lindley	Monterey County
Morrie Fisher	Pacific Grove
Darryl Choates	Seaside

**BOARD MEMBERS ABSENT:**

Dewey J. Baird	U.S. Army - Ex-Officio
----------------	------------------------

**STAFF PRESENT:**

Keith Israel	General Manager
Robert Wellington	Legal Counsel
Jim Heitzman	Assistant General Manager
Tom Buell	Director of Finance
Robert Jaques	Director of Engineering Planning and Technology
Dan Mizerski	Director of Wastewater Facilities
John Tiernan	Director of Administrative Services
Deborah Fortune	Executive Assistant

**Minutes**  
***MRWPCA - Regular Meeting***  
***May 24, 2004***  
***Page 2***

Kay Bardin	Finance Manager
Kelly Cadiente	Accounting Supervisor
Ed Oyama	Lead Engineer

**OTHERS PRESENT:** Bjorn Lundergard – City of Seaside  
John Fair and Carl Niizawa – City of Salinas

**AUDIENCE:** None

Chair Pendergrass acknowledged a card of thanks received for flowers sent to the family of Fay Benson who was killed recently in a car accident on Carmel Valley Road.

Mr. Choates thanked the Board and staff for the card received at the recent passing of his father.

**4. PUBLIC COMMENTS**

[At 7:01 p.m., with no comments received, Chair Pendergrass opened and closed Public Comments.]

**5. CONSENT AGENDA**

To an inquiry by Mrs. Canepa (page 36), Mr. Buell reported that the largest project of equipment in the Capitalized Equipment Fund was the RTP generator at \$165,000. A piece of equipment that required more than 100 hours of staff labor was automatically moved to a Capital Project.

**ACTION TAKEN:** On a motion by Mr. Fisher, seconded by Mrs. Del La Rosa, the Board unanimously approved the Consent Agenda, Items A through J, as follows:

- A. Approve Minutes - Regular Meeting – April 26, 2004**
- B. Receive Financial Statements – March 2004**
- C. Receive Comparison Percentage of Budget Expended Through April 2004 vs. 2003**
- D. Receive Check Register – April 2004**
- E. Receive Plant Flows and Effluent Quality for Connected Agencies, Plus Flow Charts for Fort Ord and Marina – April 2004**
- F. Receive Actual vs. Budgeted Fiscal Year 2003/04 Expenditures for the Capital Improvement Program and Capitalized Equipment Fund**
- G. Receive Actual vs. Anticipated Fiscal Year 2003/04 Revenues from Capacity Charges**
- H. Approve Contract with Maris Sidenstecker for Services as Public Education**

**Minutes**

**MRWPCA - Regular Meeting**

**May 24, 2004**

**Page 3**

**Program Coordinator in FY 04/05**

- I. Approve Salinas Pump Station Driveway and Containment Project**
- J. Approve MRWPCA Resolution No. 2004-07, Authorizing Award of a Contract for the Board Room Expansion to Thayer Construction, Inc., Without Competitive Bidding**

**6. COMMITTEE REPORTS AND RELATED ACTION ITEMS**

**A. BUDGET/PERSONNEL COMMITTEE**

On page 53, Chair Pendergrass noted a correction where "Chair Pendergrass" should read "Chair Shirrel" of the Budget/Personnel Committee.

**1. Receive and Approve Committee Minutes/Report – Tuesday, May 11, 2004**

**ACTION TAKEN:** On a motion by Mr. Barlich, seconded by Mrs. Canepa, the Board unanimously approved the Minutes/Report of Tuesday, May 11, 2004, with the noted correction.

**B. RECYCLED WATER STORAGE COMMITTEE**

**1. Receive and Approve Committee Minutes/Report – Tuesday, May 11, 2004**

**ACTION TAKEN:** On a motion by Mrs. Canepa, seconded by Mrs. Shirrel, the Board unanimously approved the Minutes/Report of the meeting of Tuesday, May 11, 2004.

**7. OTHER ACTION ITEMS BEFORE THE BOARD**

**A. Approve MRWPCA Ordinance No. 2004-02, Establishing a Local Hiring Requirement and Bid Protest Procedure on Public Works Contracts**

[Page 61 and 62 were distributed with two minor word changes to the ordinance attachment entitled, "Local Hiring for Public Works."]

Mr. Choates questioned why the "local hire" include San Benito and Santa Cruz Counties along with Monterey County. There was discussion and it was pointed out that there was a better chance for acquiring the correct expertise using the tri-county area, not just to a narrower pool within Monterey County. In any event, prevailing wages are paid.

[At 7:18 p.m., with no comments, Chair Pendergrass opened and closed public comments.]

**ACTION TAKEN:** On a motion by Mrs. Shirrel, seconded by Mrs. Canepa, and abstention by Mr. Choates, the Board approved, with the minor revisions, Ordinance No. 2004-02, Establishing a Local Hiring Requirement and Bid Protest Procedure on Public Works Contracts, which will be effective in thirty (30) days.

**8. INFORMATIONAL ITEMS**

[Missing agenda pages 66 and 67 were distributed.]

**A. Fort Ord Issues Status Summary**

There were no questions or comments.

**B. Reclamation Project Status Summary**

There were no questions or comments.

**C. Strategic Planning Goals (2002-2005) and One-Year Objectives (April 2004 through 2005) Update**

There were no questions or comments.

**9. STAFF REPORTS**

**A. General Manager/Assistant General Manager/Legal Counsel**

Mr. Israel reported that Ortiz' SB 1272 bill, relating to meetings and associated expenses, failed in the Appropriations Committee, but the bill will undoubtedly show up again sometime in the future.

Mr. Israel reported that Dewey Baird is recovering from surgery and sends his thanks for the cards of well wishes and flowers sent from the Board and staff.

**B. Department Head(s)**

There were no further comments or reports.

**C. Presentation(s):**

**1. Update on Storm Water Permitting Issues**

In a PowerPoint presentation, Mr. Jaques showed photos that highlighted problems in storm water - water quality and public health concerns. Part of the solution is public involvement and education, as well as control of erosion and sediment runoff from construction sites.

Mr. Jaques summarized the RWQCB storm water regulations, Phase 1 and 2 Permits, and their requirements. Since 2001, there has been inter-agency coordination among the member entities who share the expenses, with MRWPCA acting as the Program Manager.

The comments were submitted to the RWQCB on the Monterey Regional Storm Water Management Program. RWQCB will either negotiate resolution of the public comments or conduct a public hearing. The first meeting is scheduled in June. Once the permit is issued, the Storm Water Program will officially begin.

**10. CORRESPONDENCE**

Chair Pendergrass noted the thank you note from Theresa Canepa for the flowers sent from the Board and staff following her surgery.

**11. BOARD MEMBER COMMENTS**

Mrs. Shirrel reported on an upcoming Women's Health Summit at Corral de Tierra.

Mr. Cortopassi thanked MRWPCA, Jim Heitzman and Karen Harris on behalf of the Castroville Rotary for the use of the facility and tour for their last meeting.

Chair Pendergrass noted that the Board Room would be torn up for the June meetings. The Budget Workshop location will be announced and the June 28 meeting will be at the Regional Treatment Plant in Marina.

Mr. Israel confirmed that the June 28 meeting would start at 7:00 p.m., but with Daylight Savings Time, Board tours would be offered at an earlier time.

**12. ADJOURNMENT**

With no further business, Chair Pendergrass adjourned the meeting at 7:56 p.m. to the Budget Workshop (at a location to be determined) on Monday, June 14, at 7:00 p.m., and the Regularly-Scheduled Board Meeting (at the Regional Treatment Plant in Marina) on Monday, June 28, 2004, at 7:00 p.m.

---

Keith E. Israel  
General Manager/Secretary to the Board

---

Dave Pendergrass  
Chair of the Board of Directors

Date Passed: June 28, 2004