



**MINUTES**  
**of the Regular Meeting**  
**Monterey Regional Water Pollution Control Agency**  
**Board of Directors**  
**August 28, 2006**

**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 Shirrel at 7:00 p.m., on Monday, August 28, 2006, in the Board Room at 5 Harris Court, Building D, Monterey, California.

**2. PLEDGE OF ALLEGIANCE**

Chair Shirrel invited Mayor Joe Russell to lead the Pledge of Allegiance.

**3. ROLL CALL**

**BOARD MEMBERS PRESENT:**

Chair Peggy Shirrel	Moss Landing Sanitation District
Director Ramiro Cortez	Boronda County Sanitation District
Director David Lewis	Castroville Water District
Mayor Joe Russell	Del Rey Oaks
Director Kenneth Nishi	Marina Coast Water District
Councilmember Libby Downey	Monterey – Alternate
Supervisor W.B. “Butch” Lindley	Monterey County
Mayor Dan Cort	Pacific Grove
Councilmember Gloria De La Rosa	Salinas
Mayor Dave Pendergrass	Sand City
Councilmember Darryl Choates	Seaside

**BOARD MEMBERS ABSENT:**

Chief Dewey J. Baird, Utilities Branch	U.S. Army, Ex-Officio
Councilmember Jeff Haferman	Monterey

**STAFF PRESENT:**

Keith Israel	General Manager
Jim Heitzman	Assistant General Manager
Ken Buchert	Legal Counsel

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John Tiernan	Director of Administrative Services
Tom Buell	Director of Finance
Bob Holden	Recycled Water Project Coordinator
Kelly Cadiente	Accounting Supervisor
Karen Harris	Community Relations Specialist
Greg Antosz	Environmental Services Manager
Betty Nebb	Executive Assistant
Lonnie Fredrickson	Administrative Support Specialist II

**OTHERS PRESENT:** Carl Niizawa – Salinas  
Channel 67 Reporter and Cameraman

**AUDIENCE:** 2

#### **4. PUBLIC COMMENTS**

At 7:02 p.m., with no comments received from the public, Chair Shirrel opened and closed Public Comments.

#### **5. CONSENT AGENDA**

**ACTION TAKEN: On a motion by Mr. Pendergrass, seconded by Mr. Russell (Ms. Downey and Mr. Choates indicated they would abstain from voting), the Board unanimously approved Consent Agenda Items A - F:**

- A. Approve Minutes – Regular Meeting, July 31, 2006
- B. Receive Comparison Percentage of Budget Expended Through July 2006 vs. 2005
- C. Receive Check Register – July 2006
- D. Receive Plant Flows and Effluent Quality for Connected Agencies, Plus Flow Charts for Salinas, Monterey Peninsula, Marina Plant, Fort Ord and Castroville for July 2006
- E. Approve MRWPCA Resolution 2006-20, Amending the Conflict of Interest Code to Revise the List of Designated Employees/Positions.
- F. Request Approval to Purchase Two Dimminutor (Sewage) Grinders for Salinas Pump Station

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

##### **A. Budget/Personnel Committee**

- 1. Receive and Approve Committee Minutes/Report Monday, August 14, 2006

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Mr. Choates asked why the original RTP roof did not have a warranty. Mr. Heitzman responded that the proximity of the building to the ocean negated the warranty.

**ACTION TAKEN: On a motion by Mr. Cort, seconded by Ms. Downey, the Board unanimously received and approved the Budget/Personnel Committee Minutes for Monday, August 14, 2006, with the following recommendations:**

- That the Board approve the contract for Facility Coating Management Project to Techno Coatings, Inc., in the amount of \$467,540 (for Base Bid Items and Additive Bid Items 1 and 6) and allocation of a standard 5% construction contingency fund.
- That the Board approve the contract for the RTP Roofing Project to William A. Thayer Construction, Inc., in the amount of \$518,296 and allocation of a standard 5% construction contingency fund.
- That the Board approve payment for services to the following vendors: Wellington Law Offices, Monterey Regional Waste Management District, Communication Planners, General Chemicals and Granite Construction.

### **B. Recycled Water Storage Committee**

1. Receive and Approve Committee Minutes/Report Thursday, August 17, 2006

**ACTION TAKEN: On a motion by Mr. Russell, seconded by Mr. Lewis, the Board unanimously received and approved the Recycled Water Storage Committee Minutes for Thursday, August 17, 2006, with the following recommendations:**

- Information only – No action taken

### **C. Board Resolution Review Committee**

1. Receive and Approve Committee Minutes/Report Friday, August 18, 2006

Mr. Lindley commented the Board Resolution Review Committee meeting went very well and members were able to cover a wide range of topics. He stressed the desire to include input from all Board members and urged them to complete the *Request for Information Form*. He said the Committee's next meeting is scheduled for September 8, 2006. Chair Shirrel indicated she felt the Meeting Minutes were very informative.

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Mr. Nishi stated concerns about increasing term limits. On another subject he calculated that missing three consecutive meetings would equate to 25% of meetings and expressed a desire to revisit the attendance rule. Regarding maximum compensation to Board members, Mr. Nishi said the approved Resolution indicates members are entitled to compensation for attending a maximum of six meetings per month. He questioned why the resolution has not been enforced and asked that the subject be addressed.

Chair Shirrel advised that the Committee plans to review Board member meeting attendance and the associated payment history. Mr. Nishi expressed his appreciation for the Committee's work.

**ACTION TAKEN: A motion by Ms. De La Rosa to approve the Committee Minutes was withdrawn; however, the Board unanimously received the Board Resolution Review Committee Minutes/Report for Friday, August 18, 2006.**

- Information only – No action taken

Chair Shirrel announced the September 18 and October 16 Budget/Personnel Committee meetings will be combined into one meeting to be held on Thursday, October 19, 2006, at 3:00 p.m.

## **7. INFORMATIONAL ITEMS**

### **A. Fort Ord Update**

No changes or comments

### **B. Reclamation Project Status Summary**

Mr. Choates asked if there has been contact with Bayonet/Black Horse Golf Course since completion of the Recycled Water Study Project and asked when the final study would be available. Mr. Israel indicated it is currently posted on the website and noted a final presentation to the Board would be scheduled in the near future. Mr. Israel also indicated the results of the study are currently being shared with Marina Coast Water District.

Mr. Lindley asked about the ultimate resolution of the chlorine contact time for the Salinas Valley River Project. Mr. Israel indicated the expert panel recommended sixty minutes (which coincides with construction of the planned six acre-foot pond). He further advised the Agency is in the process of verifying safety information in regard to the disinfected water being used on lettuce crops.

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### **C. Strategic Planning Goals**

No questions. Chair Shirrel commented that the Agency is doing very well in terms of moving toward accomplishing established goals.

## **8. STAFF REPORTS**

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

Mr. Israel stated the CASA ethics training was well attended and the reference material handouts provided were excellent. He indicated California Special Districts Administration will host another opportunity to complete ethics training at the RTP at 4:00 p.m. on October 18, 2006.

Mr. Israel shared he is encouraged by the speculation that the Regional Board will approved the Stormwater Regional Plan at a hearing in Monterey on September 8, 2006.

Mr. Heitzman announced MRWPCA received the Government Finance Officers Association (GOFA) Comprehensive Annual Financial Reporting (CAFR) Award of Excellence. He thanked Mr. Tiernan, Mr. Buell and Ms. Cadiente for their dedicated work and commitment in pursuing the award. He also announced the Agency has locked in a bond rate of 4.43 percent. He offered kudos to Mr. Israel, Mr. Tiernan and Mr. Buell for their diligence to accommodate a quick close as the window of time to lock that rate was very short.

### **B. Department Head(s)**

Mr. Tiernan indicated, although the GOFA/CAFR Program has existed since 1945, less than ten percent of wastewater agencies in California have achieved the award. He said the application process requires looking at long-range (ten year) local trends. He noted MRWPCA will receive national recognition, improved credit ratings and tips for the Agency to continuously improve. He thanked the key players: Ms. Cadiente, Mr. Buell, and the audit firm of VTD for their contribution toward this achievement.

Mr. Buell said staff initially anticipated closing bond rates between 4.65 and 4.80 percent; the actual rate of 4.43 percent will result in a \$600K savings over the life of the bonds. He thanked the Board and expressed appreciation for their support through the budget process saying it allowed for a 'quick close' when the bonds became available. The bond closing is scheduled for August 29, 2006. He, too, acknowledged Ms. Cadiente and other staff for their contributions with this endeavor.

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### **C. Presentation: "CClean" Regional Water Quality Sampling Program by Greg Antosz**

Greg Antosz, Environmental Services Manager, provided a presentation on CClean (Central Coast Long-Term Environmental Assessment Network), a regional approach to long-term monitoring of the National Marine Sanctuary. He said the four main areas of CClean focus include: Wildlife, Marine Habitat, Endangered Species and Recreational Uses. He identified the participants: MRWPCA, Carmel Area Wastewater District, Santa Cruz, Watsonville and Duke Energy and provided an overview of CClean's evolution, activity and future direction. He advised further information is available at [www.cclean.org](http://www.cclean.org).

Chair Shirrel asked if the new owners of Duke Energy would continue participation in the CClean program and Mr. Antosz indicated they have committed to do so. Mr. Lindley asked the meaning of 'benthic' communities. Mr. Antosz explained it refers to the muscles/sea worms that live in the lowest level of a body of water.

Mr. Russell questioned the increase in cost to MRWPCA noting decreased flow percentages. Mr. Antosz indicated the process to determine cost was very lengthy. He said in an effort to share costs more evenly, the cost was based on percentage of flow discharged to the ocean with the MRWPCA's cost being 25 percent (i.e., eight months/30M gallons/day). He commented that year-round reclamation would further reduce costs.

Further discussion ensued regarding brine discharges to the outfall and the need to continue some plant discharge and other outfall maintenance activities.

Mr. Heitzman advised that Mr. Antosz, Mr. Israel and Mr. Haertel, have been working on State permitting. Mr. Antosz said CClean may offer an alternative to other State Water Resource Control Agency programs which don't address long-term needs.

Chair Shirrel thanked Mr. Antosz for the excellent presentation.

## **9. CORRESPONDENCE**

### **A. Letters of Support to California Senators Dianne Feinstein and Barbara Boxer regarding Senate Bill 3639 – Reclaiming the Nation's Water Act (Title XVI)**

No comments or questions

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**10. BOARD MEMBER COMMENTS**

Mr. Choates commended Marina for hand delivering Certificates of Compliance to participants in the Grease Program as a positive public relations approach.

Mr. Cort asked if MRWPCA offers cost concessions for senior citizens. Mr. Israel explained the Agency receives federal grants and the federal government does not allow for subsidized rates for any particular group. He said it is the responsibility of individual cities to develop programs to help their citizens.

Mr. Cort asked if there is a loan program available for businesses utilizing MRWPCA services. Mr. Israel advised a hardship program is available that offers different payment plans on an individual basis.

Ms. Downey said she was so impressed with the MRWPCA 2006/2007 budget documents she showed them to the Monterey City Manager who also was impressed and intends to share them with others.

Chair Shirrel announced the California Special Districts Conference scheduled for September 25 - 28 will be held at Squaw Creek in North Lake Tahoe and encouraged members to participate.

**11. CLOSED SESSION**

Chair Shirrel announced it would not be necessary to hold Closed Session at this time.

**12. ADJOURNMENT**

With no further business, Chair Shirrel adjourned the meeting at 7:42 p.m., to the next regularly scheduled Board Meeting in the Board Room at 5 Harris Court, Building D, on Monday, September 25, 2006, at 7:00 p.m.

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Keith E. Israel  
General Manager/Secretary to the Board

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Margaret Shirrel, Ph.D.  
Chair of the Board of Directors