



**APPROVED**  
**May 28, 2009**

**MINUTES**  
**of the Regular Meeting**  
**Monterey Regional Water Pollution Control Agency**  
**Board of Directors**  
**April 27, 2009**

**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 Calcagno at 7:02 p.m., on Monday, April 27, 2009 in the Board Room at 5 Harris Court, Building D, Monterey, California.

**2. ROLL CALL**

**BOARD MEMBERS PRESENT:**

Lou Calcagno, Chair	Monterey County, Supervisor
Ramiro Cortez	Boronda County Sanitation District
Ron Stefani	Castroville Com Services District, President
Joe Russell	Del Rey Oaks, Mayor
Kenneth Nishi	Marina Coast Water District, Director
Libby Downey	Monterey, Councilmember
Chris Orman	Moss Landing County Sanitation District
Janet Barnes [Alternate]	Salinas, Councilmember
Dave Pendergrass	Sand City, Mayor
Ralph Rubio	Seaside, Mayor
Vacant – Ex-Officio	U.S. Army, Representative

**BOARD MEMBERS ABSENT:**

Dan Cort	Pacific Grove, Councilmember
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**MRWPCA STAFF PRESENT:**

Keith Israel	General Manager
Brad Hagemann	Assistant General Manager
Rob Wellington	Legal Counsel
John Tiernan	Director of Admin Services, Deputy GM
Tom Buell	Director of Finance
Karen Harris	Community Relations Specialist
Leara Ventura	Administrative Support Specialist II

**OTHERS PRESENT:** Bjorn Lundegard – City of Seaside  
Carl Niizawa – City of Salinas  
Michael Downey  
Lauren Johnson and family  
Claire-Virginia Westerkamp and family

**3. PLEDGE OF ALLEGIANCE**

Chair Calcagno asked Mr. Wellington to lead the Pledge of Allegiance.

**4. PUBLIC COMMENTS**

At 7:05 p.m., Chair Calcagno asked for Public Comments – none presented.

**5. SPECIAL RECOGNITION**

Ms. Karen Harris, Community Relations Specialist, announced that every year at the Monterey County Science Fair the Agency presents two awards, one in the Senior Division and one in the Junior Division, for issues related to pollution prevention and seawater intrusion. She introduced Claire-Virginia Westerkamp, a 9<sup>th</sup> grader from York School, and her project entitled “The Water Pollution Solution” that was completed with another student, Krista Brockman. Ms. Harris also introduced Lauren Johnson, 8<sup>th</sup> grader from Santa Catalina Lower School, and her project entitled “Holding Back the Tide – A Sassy Strawberry Salinity.” She added that Lauren’s father owns an organic strawberry farm and seawater intrusion is a real concern for him.

Chair Calcagno presented the awards to the students and congratulated both for their projects that related so directly to the work of the MRWPCA. He also thanked Ms. Harris for her work in selecting the winners.

**6. CONSENT AGENDA**

Mr. Cortez requested the minutes for the Special Board Meeting of April 13 be corrected to reflect that he was not in attendance. Ms. Barnes indicated she would abstain on Items A and B as she did not attend those meetings.

**ACTION TAKEN: On a motion by Mr. Russell, seconded by Mr. Cort, the Board approved the Consent Agenda, Items A through M as follows:**

- A. Approve Board Meeting Minutes/Report for Regularly Scheduled Board Meeting of March 30, 2009**

- B. Approve Special Board Meeting Minutes/Report of April 13, 2009
  - C. Receive Financial Statements – March 2009
  - D. Receive Comparison Percentage of Budget Expended Through March 2009 versus 2008
  - E. Receive Check Register – March 2009
  - F. Receive Plant Flows and Effluent Quality for Connected Agencies, Plus Flow Charts for Salinas, Monterey Peninsula, Marina, Fort Ord, and Castroville for March 2009
  - G. Receive Actual vs. Budgeted Fiscal Year 2008/09 Expenditures for the Capital Improvement Program and Capitalized Equipment Fund
  - H. Receive Actual vs. Anticipated Fiscal Year 2008/09 Revenues from Capacity Charges
  - I. Receive Residential Dwelling-Unit Allocation as of March 31, 2009
  - J. Approve Construction Contract for Headworks Grating Replacement Project
  - K. Approve Contract for Odor Control Study at Reeside Pump Station
  - L. Approve Sewer System Management Plan (SSMP)
  - M. Approve Identity Theft Protection Program
7. **COMMITTEE REPORTS AND RELATED ACTION ITEMS**
- A. **Budget/Personnel Committee**
    - 1. Receive and Approve Committee Minutes/Report of April 8, 2009

Agenda Item 2 – Approve New Major O&M Project and Award Contract for Low Pressure Gas Storage Tank Repairs. Mr. Hagemann explained that in November 2008 the low pressure gas storage tank near the cogeneration building experienced a collapse of the interior “floating” seal and had to be shut down. The low pressure gas storage tank is where the methane gas that comes off the digesters is stored prior to being pumped into the high pressure system that pumps the methane gas to the cogeneration engines. For continuing reliability of the system, it is imperative to schedule repairs on the low pressure gas storage tank. If the cogen system is out of service, there would be additional PG&E costs.

He continued by saying that CB&I is the only company familiar with our type of low pressure gas storage tank system with the ability to do the necessary repairs. A contingency for this project is higher than normal because it is anticipated the

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contractors may find additional repairs necessary as they begin the work. No questions from the Board.

**Agenda Item 3 – Approve Contract Amendment for City of Salinas Growth Study.**

Mr. Hagemann described the current contract with Carollo Engineers to complete a Salinas Pump Station Study and prepare a Technical Memorandum regarding anticipated growth and capacity numbers for the pump station. The first phase of the work was to evaluate the existing improvements we have made at the Salinas pump station in terms of flow and verifying the metering system. The second phase is to prepare a master plan that will consider existing flows into the station, in dry weather and wet weather, and then plan for future growth for the City of Salinas. Mr. Hagemann reported he has met with Mr. Niizawa, City staff and Carollo representatives to develop a more extensive scope of work that will provide a pump station flow “trigger chart” to provide station expansion measures as a function of flow. The finished report will be used as a planning tool to provide adequate lead time for design and construction of new facilities to meet actual flow and to provide solid documentation that can be referenced in future CEQA documents to ensure adequate pump station capacity will be developed to support the City’s future growth.

Mr. Hagemann concluded stating staff is moving deliberately to make sure the data is accurate, and that while taking advantage of the work the City of Salinas has completed to tighten up their collection system, staff will address the peak wet weather demands within the system.

Ms. Barnes expressed appreciation for Mr. Hagemann’s report and noted that this procedure to present in more detail the discussion from the Committee meetings is helpful and very informative. She also stressed the need to expedite this capital improvement plan and capacity as Salinas’s development depends upon having this work completed.

Mr. Hagemann stated a draft report will be completed by the end of May and information will be shared with City staff to be sure the final draft is going to address the City’s wastewater needs. No further comments or questions.

**Agenda Item 4 – Review Capacity Fee Policy.**

Mr. Tiernan stated the Committee received an update on the utilization and collection of capacity fees, specifically the fees collected from the City of Salinas. Ms. Karyn Keese, who in 2000 developed our capacity fee policy and ordinance, provided a presentation as background information for the Committee. Mr. Tiernan indicated that the Minutes reflect a number of questions that were discussed at the meeting. As a result, staff will address the questions and return to the Committee at a later date with opinions.

Ms. Barnes stated that \$14M of capacity fees has been collected for new development in Salinas and that the majority of capacity fees for MRWPCA seem to be for projects not related to capital improvements. On behalf of the City of Salinas she is asking for a review of this policy on how capacity fees are used.

**ACTION TAKEN: On a motion by Ms. Barnes, seconded by Mr. Rubio, the Board unanimously approved the Budget/Personnel Committee Minutes for Wednesday, April 8, 2009, with the following recommendations:**

- **That the Board approve a new Major O&M Project and award the Low Pressure Gas Storage Tank Repairs to CB&I Inc. in the amount of \$152,870, plus 30% contingency to cover additional work discovered during repairs.**
- **That the Board approve an amendment to the contract with Carollo Engineers for the Salinas Pump Station Capacity Study Phase 2 for an additional \$16,800 to bring the total contract amount to \$42,000.**

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

**A. Adopt Ordinance No. 2009-02, An Ordinance Extending the Expiration Date to October 31, 2009 of Ordinance No. 2004-04 Allocating Wastewater Treatment Capacity**

Mr. Hagemann reported that staff prepared a new Wastewater Allocation Plan and distributed a proposed Negative Declaration of the allocation plan for public comment in compliance with the CEQA. Only one comment letter was received from MBUAPCD. On April 2, a Technical Advisory Committee (TAC) meeting was held to discuss the Draft Allocation Plan. Mr. Hagemann explained that at the meeting some discrepancies with the data provided to MRWPCA by AMBAG were identified. Based on the identified issues, changes to the allocation plan may have potential to alter the base allocation number. The TAC concluded that since we have utilized only about 20% of the existing plan over the last 4+ years, staff can take the additional time to get those annexations included. Therefore, the recommendation is that the current Allocation Plan be extended for an additional six months to October 30, 2009, using the 2004 AMBAG population forecasts. This extension would allow for the current Draft Allocation Plan to be revised, a MRWPCA TAC meeting to be held on the revised Plan and the necessary public and environmental review processes to occur.

Discussion followed regarding new development in Boronda as well as the predicted growth in the whole county served by MRWPCA. Members concluded it was better to provide a further extension in order to be sure that all annexations were included in the population projections.

**ACTION TAKEN:** On a motion by Mr. Rubio, seconded by Ms. Downey, the Board took a roll call vote resulting in a unanimous decision to adopt Ordinance No. 2009-02, Extending the Expiration Date to October 2009 for Ordinance 2004-04 Allocating Wastewater Treatment Capacity.

**9. INFORMATIONAL ITEMS**

**A. Fort Ord Update**

No questions or comments.

**B. Reclamation Project Status Summary**

No questions or comments.

**C. Strategic Planning Goals (2008-2011)**

Mr. Israel explained that every year we have had an outside facilitator, Marilyn Snider, lead the Board in a detailed process to review current goals. This year, with several new Board members, the exercise should be extremely helpful as we further refine our goals and set new objectives for the coming year. Ms. Downey questioned the status of some of the current goals and objectives and Mr. Israel explained that the members would be determining the direction of the Board and staff for the coming year and that these matters would be discussed and determined through the workshop process.

**10. STAFF REPORTS**

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

Mr. Israel reported on his recent trip to Washington DC and the positive response the group received from Congressional members and staff regarding the RUWAP project and the possibility of funding. He noted that Mayor Rubio was also a part of the group from the Monterey area.

Mr. Israel noted that Mr. Kent Turner has left Cal-Am and a new president has been named, and although we are counting on the company's continuing support, we will have to wait to see if there are changes.

Mr. Israel also congratulated the students on their science fair projects and related that he and his daughter had prepared a similar project raising tomatoes while checking seawater intrusion and monitoring salt levels. They found that tomatoes kept growing no matter how much salt was added and as a result they produced some salty tomatoes.

Mr. Hagemann advised the Board that he was consulting with several firms on a solar energy proposal. Due to the RTP having a Co-Gen facility, the SVRP facility is much more adaptable to a solar application than would be the Regional Treatment Plant. He explained a couple of possible locations may be considered for the

installation of about 5 acres of solar panels. The project would not require any capital investment by the Agency; a long-term agreement would be executed to purchase power from a third party. Some discussion followed regarding the location of the solar panels and the ability of the panels to collect the solar power even in a relatively foggy area. Mr. Hagemann will return to the Board with more information about this possibility in the near future.

**B. Department Heads**

Nothing to report.

**C. Presentation:** (none scheduled for this meeting)

**11. CORRESPONDENCE**

Mr. Israel noted the correspondence from the California Department of Public Health regarding the dual use of the pipeline for our future combination RUWAP/ Replenishment project, and the letter from the Seaside Watermaster acknowledging the completion of work for the \$100,000 funding for the replenishment project.

**12. BOARD MEMBER COMMENTS**

Chair Calcagno stated tomorrow the Three-Way Agreement would come before the Board of Supervisors for approval. However, he noted correspondence from Michael Stamp has requested the Board defer the decision to approve the agreement. MCWRA has also been told to expect some dissent from groups in South County. Chair Calcagno encouraged those who support the agreements show their support by attending and perhaps speaking at the Board of Supervisors' meeting tomorrow.

**13. SPECIAL BOARD RECOGNITION**

Chair Calcagno asked the former Board Chair Joe Russell to come forward. He acknowledged the hard work and dedication Mr. Russell had displayed while serving as the Board Chair and commended him in his efforts to accomplish the goals for the organization while enduring difficult times. Chair Calcagno presented Mr. Russell with a plaque acknowledging his years of services as Chair of the MRWPCA Board. Mr. Russell thanked the Board for this acknowledgement and encouraged all to look forward to achieving the continuing commitment this agency has to the entities it represents.

Chair Calcagno called former Vice Chair Dave Pendergrass forward and acknowledged his continuing and long-term service to this Board in presenting a plaque noting his years of service as Vice Chair and Chair of the Board. He complimented him on the foundation work that Mr. Pendergrass had achieved and

noted that without his efforts, the Board might not be in the position it is today where this agency, MCWD, MCWRA, Monterey, Seaside, Marina, Salinas, and everybody have come together to get water to the Monterey Peninsula. Members extended congratulations to both gentlemen.

**14. ADJOURNMENT**

Chair Calcagno reminded the members of the upcoming Strategic Planning Workshop set for Friday, May 15 starting at Noon. He also noted the possibility of another joint meeting at the Seaside Community Center to bring the parties back for an announcement of the completion of the water agreements.

With no further business, Chair Calcagno adjourned the meeting at 7:52 p.m. to the next scheduled Regular Board Meeting, in the Board Room at 5 Harris Court, Building D, on Thursday, May 28, 2009, at 7:00 p.m.

*/s/ Keith Israel*

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Keith E. Israel, General Manager  
Secretary to the Board

*/s/ Lou Calcagno*

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Louis Calcagno, Chair  
MRWPCA Board of Directors