

APPROVED
June 26, 2017



MINUTES
of the Regular Meeting
Monterey Regional Water Pollution Control Agency
Board of Directors
May 22, 2017

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 Fischer at 6:01p.m., on Monday, May 22, 2017 in the Board Room at 5 Harris Court, Building D, Monterey, California.

2. ROLL CALL

BOARD MEMBERS PRESENT:

Rudy Fischer, Chair	Pacific Grove
Ron Stefani, Vice Chair	Castroville Community Services District
Linda Grier	Boronda County Sanitation District
John M. Phillips <i>[arrived at 6:04 pm]</i>	County of Monterey
Dennis Allion	Del Rey Oaks
Thomas P. Moore	Marina Coast Water District
Timothy Barrett	Monterey
James R. Cochran	Moss Landing County Sanitation District - Ex-Officio
Gloria De La Rosa	Salinas
Mary Ann Carbone	Sand City
Ralph Rubio	Seaside
Vacant – Ex-Officio	United States Army

BOARD MEMBERS ABSENT:

MRWPCA STAFF PRESENT:

Paul A. Sciuto	General Manager
Tori Hannah	Chief Financial Officer
Bob Holden	Principal Engineer
Rob Wellington	Legal Counsel

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Jennifer Gonzalez	Engineering Manager
Mike McCullough	Government Affairs Administrator
Leara Sampson	HR Administrator
Yohana Vargas	Contracts Administrator
Bill Ragsdale-Cronin	Plant Maintenance Supervisor
Tom Kouretas	Associate Engineer
Chris Foley	Utilities Supervisor
Sean Curry	Electrician/Instrumentation Technician II
Chayito Ibarra	Executive Assistant

OTHERS PRESENT:

Gary Petersen, City of Salinas
Alex Handlers, Bartle Wells & Associates

3. PLEDGE OF ALLEGIANCE

Member Rubio led the pledge of allegiance.

4. PUBLIC COMMENTS

Chair Fischer called for Public Comments: none received.

5. INTRODUCTION OF NEW BOARD MEMBERS

- A. New Representatives appointed to the MRWPCA Board:
City of Sand City
Representative: Mayor Mary Ann Carbone
Alternate: Vice-Mayor Jerry Blackwelder

Chair Fischer acknowledged Mr. Mary Ann Carbone's appointment to the Board representing Sand City and introduced Mr. Jerry Blackwelder, seated in the audience, who would be serving as the Sand City Board Alternate.

Supervisor Phillips arrived at 6:04 pm

6. EMPLOYEE RECOGNITIONS

- A. California Water Environment Association (CWEA) Certificate to Sean Curry for Certification of Competency in Electrical/Instrumentation Grade 3

Mr. Chris Foley, Utilities Supervisor, introduced Sean Curry who received his CWEA Certification of Competency in Electrical/Instrumentation Grade 3. Mr. Sciuto added that Mr. Curry's position only requires certification as a Grade 2 in Electrical/Instrumentation and commended him for going above and beyond of what is required of him. Chair Fischer presented the CWEA award to Mr. Curry and congratulated him for his accomplishment and service to the Agency.

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7. CONSENT AGENDA

ACTION TAKEN: It was moved by Member De La Rosa, seconded by Member Stefani to approve Consent Agenda Items A through J, and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

- A. Consider Approval of Board Minutes for Regular Board Meeting of April 24, 2017
- B. Receive Schedule of Cash and Investments as of April 30, 2017
- C. Receive Quarterly Financial Reports for Third Quarter FY 16/17
- D. Receive Check Register for April 2017
- E. Receive Waste Discharge Report for April 2017; NPDES Monitoring Report for April 2017; and Plant Flows and Effluent Quality for Connected Agencies, Plus Flow Charts for RTP, Salinas, Monterey Peninsula, Marina, Fort Ord, and Castroville for April 2017
- F. Consider Approval of an Increase to the Contract With V.W. Housen & Associates for Engineering Services During Construction for Pump Station No. 13 Valve Replacement and Upgrades Project
- G. Consider Approval of Resolution No. 2017-15, Authorizing the Agency's General Manager to Sign and Deliver, an Indemnification Agreement with the County of Monterey
- H. Consider Approval of an Amendment to Pinnacle Advanced Reliability Technologies Contract to Assist Staff with Creating a Comprehensive Maintenance Plan for the Salinas Generator System
- I. Consider Approval of an Increase to the Contract with Best Best & Krieger for Legal Services Support of Pure Water Monterey
- J. Consider Approval of an Increase to the Contract with Kennedy/Jenks Consultants for Support Bid Services for the Advanced Water Purification Facilities
- K. Consider Authorizing the Agency to Pay Half the Costs to MCWRA for the CSIP New Source Water Facilities Engineer's Report at a Cost not to Exceed \$53,562
Consider Approval of an Amendment to the Contract with Wigen Water Technologies for the Advanced Water Treatment Facility Membrane Filtration Reverse Osmosis Equipment (MF/RO)

8. COMMITTEE REPORTS

A. RECYCLED WATER COMMITTEE (RWC) – MAY 11, 2017

1. Receive RWC Draft Minutes of May 11, 2017

ACTION TAKEN: It was moved by Member Rubio, seconded by Member Phillips to receive the BPC Draft Minutes of May 11, 2017 and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

B. BUDGET/PERSONNEL COMMITTEE (BPC) – MAY 12, 2017

1. Receive BPC Draft Minutes of May 12, 2017

ACTION TAKEN: It was moved by Member Grier, seconded by Member Allion, to receive the RWC Draft Minutes of May 12, 2017, and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

9. ACTION ITEMS

A. Consider Preliminary Approval and Noticing of the Agency's Miscellaneous Fee Schedule

Ms. Hannah introduced Alex Handlers, Principal for Bartle Wells and Associates, who has been working with the Agency to develop proposed wastewater user fees. Mr. Handler stated that they have been focusing on evaluating and determining costs associated with miscellaneous fees such as: review of capacity fees, interruptible rates, billable wages, and the Agency's overhead calculation.

Mr. Handlers provided an in-depth review of the Miscellaneous Fee Information with Board and answered questions.

Ms. Hannah noted that staff would like the Board to approve noticing of the Proposed Miscellaneous Fee increase for consideration at the June 5, 2017 Budget Workshop meeting.

Public Comments:

Gary Petersen, City of Salinas, stated that this was the first time hearing about raising the interruptible rates which only affect the City of Salinas. He asked the Board to hold off on approving the increase to the interruptible rates until he has a conversation with Agency staff about the mutually beneficial use of this water.

Mr. Sciuto stated that staff would be happy to meet with Mr. Petersen to discuss this further. He stated that the Board would be considering the increase to the miscellaneous fees at the June 5 Budget workshop meeting.

ACTION TAKEN: It was moved by Member Carbone seconded by Member Moore, to approve noticing of the Proposed Miscellaneous Fee Increase for consideration at the June 5, 2017 Budget Workshop, and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

B. Consider Approval of the Credit Card Acceptance Fees- (Item Pulled from Agenda)

Chair Fischer announced that this item was being pulled from the agenda due to staff needing to resolve some issues with the vendor prior to having the Board consider it for approval. Ms. Hannah noted that it would be brought for the Board's consideration at a future Board meeting.

C. Consider Approval of Phase 2 for Pump Station and Conveyance System Condition Optimization Analysis Project with GHD Inc.

Ms. Gonzalez provided background information on this item and asked the Board to authorize staff to move forward with Phase 2 of the Pump Station and Conveyance System Optimization Analysis with GHD Inc., in the amount of \$400,000, contingent upon the Board approving the Fiscal Year 17/18 budget.

ACTION TAKEN: It was moved by Member Phillips, seconded by Member Barrett, to authorize staff to move forward with Phase 2 of the Pump Station and Conveyance System Condition Optimization Analysis Project with GHD Inc., in the amount of \$400,000, contingent upon Board approval of the fiscal year 17/18 Budget and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

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Noes: None

Absent: None

D. Consider Approval of an Increase to the Contract with Kennedy/Jenks Consultants to Implement the MRWMD to AWPf Medium Voltage Energy Supply Design

Mr. Holden provided background information on this item and went over the scope of services which covers the studies, design, preparation and change order administration support needed to implement the MRWMD-to-AWPf Medium Voltage System for the AWPf Project. He asked the Board to consider approval of the increase to the contract with Kennedy/Jenks Consultants for a not to exceed amount of \$185,587.

ACTION TAKEN: It was moved by Member Phillips, seconded by Member Allion, to approve an increase to the contract with Kennedy/Jenks Consultants to implement the MRWMD to AWPf medium voltage energy supply design for a not to exceed amount of \$185,587, and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

E. Consider Approval of an Amendment to the Contract and to Issue Notice to Proceed for Phase 2 for the Advanced Water Purification Facility Membrane Filtration/Reverse Osmosis Equipment (MF/RO) to Wigen Water Technologies

Mr. Holden presented this item, provided background information to the Board and answered questions.

ACTION TAKEN: It was moved by Member Barrett, seconded by Member De La Rosa, to approve Change Order #3 for escalation costs of \$31,869.89 and issue a Notice to Proceed for Phase 2 to Wigen Water Technologies for the Advanced Water Purification Facility Membrane Filtration Reverse Osmosis Equipment (MF/RO) for an overall cost not to exceed \$4,039,825.69 and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

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F. Consider Approval of An Amendment to the Contract and to Issue Notice to Proceed for Phase 2 for the Advanced Water Purification Facility Ozone System Equipment to Xylem Water Solutions

Mr. Holden presented this item and reminded the Board that as stated in the contract with Xylem Water Solutions, the bid price for Phase 2 work was guaranteed through March 31, 2017. If it the Phase 2 notice to proceed was issued after that date, Phase 2 work lump sum cost may increase for inflation based on the latest published data from the U.S. Department of Labor, Consumer Price Index (CPI) for San Francisco. Mr. Holden noted that the CPI costs have resulted in an increase to the overall contract price in the amount of \$17,622.78.

ACTION TAKEN: It was moved by Member Phillips, seconded by Member Allion, to approve change order #2 for escalation costs of \$17,622.78 and to issue a Notice to Proceed for Phase 2 to Xylem Water Solutions for the Advanced Water Purification Facility Ozone System Equipment for a cost not to exceed \$2,311,000.78 and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

G. Consider Approval of an Amendment to the Contract and to Issue Notice to Proceed for Phase 2 for the Advanced Water Purification Facility Ultraviolet Light/Advanced Oxidation Process System to Xylem Water Solutions

Mr. Holden presented this item and stated that as a result of not issuing the notice to proceed for Phase 2 by March 31, 2017, as stated in the contract with Xylem Water solutions, it has resulted in an increase to the overall contract price by \$5,825.23.

ACTION TAKEN: It was moved by Member Barrett, seconded by Member Phillips, to approve change order #1 for escalation costs of \$5,825.23 and to issue a Notice to Proceed for Phase 2 to Xylem Water Solutions for the Advanced Water Purification Facility Ultraviolet Light/Advanced Oxidation Process System for an overall cost not to exceed \$763,905.23 and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

H. Consider Approval of Easement Deed and Agreement between MRWPCA and MRWMD for Grant/Purchase of 0.401 Acre Blanco Drain Diversion Facility Easement on MRWMD Property

Mr. Kouretas presented this item and requested that the Board authorize the General Manager to execute the 0.401 acre easement deed; and execute the agreement for grant and purchase of easement between MRWPCA and MRWMD subject to non-substantive changes approved by Legal Counsel.

ACTION TAKEN: It was moved by Member Phillips, seconded by Member Allion, to authorize the General Manager to 1) Execute the 0.401 Acre Easement Deed; and 2) Execute the Agreement for Grant and Purchase of Easement between MRWPCA and MRWMD subject to non-substantive changes approved by Legal Counsel and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

I. Consider Approval of Easement Deeds and Agreement for Grant/Purchase of Easements Between MRWPCA And MCWRA For Reclamation Ditch Diversion Facility Easements On MCWRA Property

Mr. Kouretas presented this item and requested the Board authorize the General Manager to execute the temporary construction and permanent easement deeds and execute the agreement for Grant and Purchase of Easements between MRWPCA and MCWRA subject to non-substantive changes approved by Legal Counsel.

ACTION TAKEN: It was moved by Member Allion, seconded by Member Moore, to authorize the General Manager to 1) Execute the Temporary Construction and Permanent Easement Deeds; and 2) Execute the Agreement for Grant and Purchase of Easements between MRWPCA and MCWRA subject to non-substantive changes approved by Legal Counsel and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

J. Consider Approval of Easement Deed and Agreement for Grant/Purchase of Easement between MRWPCA and Armstrong Sandhill Ranch, LLC.; Valle Del

Sol Properties, LLC; and Marina Coast Station Properties, Inc., for Blanco Drain Diversion Facility Easements

Mr. Kouretas presented this item and asked the Board to authorize the General Manager to execute the agreement for grant and purchase of easement and execute the easement deed between MRWPCA and Armstrong Sandhill Ranch, LLC; Valle Del Sol Properties, LLC; and Marina Coast Station Properties, Inc. subject to non-substantive changes approved by Legal Counsel.

ACTION TAKEN: It was moved by Member Phillips, seconded by Member Rubio, to authorize the General Manager to 1) Execute the Agreement for Grant and Purchase of Easement; and 2) Execute the Easement Deed Between MRWPCA and Armstrong Sandhill Ranch, LLC; Valle Del Sol Properties, LLC; and Marina Coast Station Properties, Inc. subject to non-substantive changes approved by Legal Counsel and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

K. Consider Approval of a Reimbursement Agreement with the Marina Coast Water District for EIR/EIS and NPDES Permitting Work on the Pure Water Advanced Water Treatment and Outfall Wastewater Disposal for the Regional Urban Water Augmentation Project

Mr. Holden presented this item and asked the Board to approve a reimbursement agreement with the Marina Coast Water District for EIR/EIS and NPDES permitting work on the Pure Water Advanced Water Treatment and Outfall Wastewater Disposal for the Regional Urban Water Augmentation Project.

ACTION TAKEN: It was moved by Member Rubio, seconded by Member Barrett, to approve a Reimbursement Agreement with the Marina Coast Water District for EIR/EIS And NPDES Permitting Work on the Pure Water Advanced Water Treatment and Outfall Wastewater Disposal for the Regional Urban Water Augmentation Project, subject to non-substantive changes approved by Legal Counsel, and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

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L. Consider Approval of Resolution 2017-16, Modifying Resolution No. 2016-27 Authorizing the Purchase of Various Pure Water Monterey Equipment Components Without Formal Competitive Bidding

Mr. Holden presented this item and asked the Board to approve Resolution No. 2017-16, which modifies Resolution No. 2016-27, to permit competitive bidding for VFD equipment and authorize the sole source procurement for the remaining equipment.

ACTION TAKEN: It was moved by Member Rubio, seconded by Member Phillips, to approve Resolution 2017-16, which modifies Resolution 2016-27 and allows competitive bidding for the VFD while allowing sole source procurement for other Pure Water Monterey components and carried by the following vote:

Ayes: Fischer, Stefani, Grier, Phillips, Allion, Moore, Barrett, De La Rosa, Carbone, Rubio

Noes: None

Absent: None

10. INFORMATIONAL ITEMS

A. Reclamation Highlights/Charts, Water Quality & Ops, Tours

Mr. Sciuto stated that the reclamation highlights, Water Quality & Ops Agendas and minutes along with a Chart of tours and presentations were included for the Board's review.

B. Pure Water Monterey Update

Mr. Sciuto provided an update on the Pure Water Monterey Project and reviewed some of the highlights.

Ms. De La Rosa left the meeting at 8:02 pm

C. Update on Agency Repositioning

Mr. Sciuto provided the Board with an update on the progress made to date for repositioning of the Agency name, logo and tagline. Member Allion stated that he served on the repositioning Committee along with Member Moore and other staff members from the Agency and stated his preference for changing the name to Monterey ONE Water. Mr. Sciuto added that his intent would be to incorporate the new Agency name for recruitment for the Assistant General Manager position.

Mr. Sciuto provided the Board with a couple of options for the new agency name, logo, and tagline. Chair Fischer asked for a show of hands from Board Members for their preference. 9 of the 11 Board Members preferred logo A "Monterey One Water" Providing Cooperative Water Solutions.

In answering Member Rubio, Mr. Wellington stated that the name change will not have an effect on current agreements as we will be making a change to the JPA.

Mr. Sciuto in answering Member Barrett, stated that the cost initially will be about \$10K. The Agency will make a schedule of when business cards, signage, uniforms etc. will be changed and we will have a more defined cost by then.

11. STAFF REPORTS

A. General Manager/Assistant General Manager/Legal Counsel

Mr. Sciuto introduced Alma Garcia, Administrative Support Specialist to the Board.

Mr. Sciuto reminded the Board that a Special Board Meeting would be held on July 10 to award the AWPf engineering services during construction and construction management contract for that project.

B. Presentation: Network Security/Board Agenda Management, Larry Stowbunenko, IT Administrator

Chair Fischer stated that this presentation was continued to the June 26 Board meeting.

12. BOARD MEMBER COMMENTS/REPORTS (none)

Chair Fischer recessed Open Session at 8:12 pm and commenced Closed Session at 8:15 p.m.

13. RECESS TO CLOSED SESSION

A. Public Employee Performance Evaluation

Pursuant to Government Code 54957

Title: General Manager

B. Conference with Real Property Negotiators

Pursuant to Government Code 54956.8

Property: Conveyance Pipeline

Agency Negotiator: Paul A. Sciuto, General Manager

Negotiating Parties: Marina Coast Water District

Under Negotiation: All Terms and Conditions

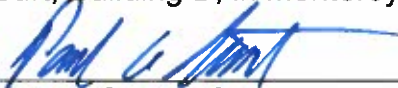
Chair Fischer adjourned Closed Session at 9:05 p.m., and commenced Open Session.

14. ANNOUNCEMENTS FROM CLOSED SESSION

Legal Counsel Wellington reported that in the Closed Session the Board considered Agenda Item 13-A (Public Employee Performance Evaluation), the Board briefly discussed the process for the matter and continued it to a future meeting date, and that with regard to Item 13-B (Conference with Real Property Negotiators), the Board received information and gave general directions to its negotiator; no reportable action was taken.

15. ADJOURNMENT

At 9:06 p.m. with no further business, Chair Fischer adjourned the meeting to the next regularly scheduled Board Meeting to be held in the Board Room at 5 Harris Court, Building D, in Monterey, California on Monday June 5, 2017 at 6:00 p.m.



Paul A. Sciuto, General Manager
Secretary to the Board



Rudy Fischer, Chair
MRWPCA Board of Directors