



MINUTES
of the Regular Meeting
Monterey Regional Water Pollution Control Agency
Board of Directors
January 26, 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 Shirrel at 7:00 p.m. on Monday, January 26, 2004, in the Board Room of the Administrative Offices at 5 Harris Court, Building D, in Ryan Ranch.

A moment of silence was observed at the request of Mrs. Canepa in memory of and to honor her colleague and friend, Councilwoman Ruth Vreeland, who died in an automobile accident on Sunday, January 25.

Chair Shirrel added that Ruth was a friend who epitomized volunteers in the communities of Monterey County -- the countless hours of time and effort given to the people of the county.

2. PLEDGE OF ALLEGIANCE

Chair Shirrel welcomed the newly-appointed representative from Marina Coast Water District, Charles Scholl, who had been the appointed alternate to Tom Moore.

3. ROLL CALL

BOARD MEMBERS PRESENT:

Peggy Shirrel, Chair	Moss Landing County Sanitation District
Morrie Fisher, Vice-Chair	Pacific Grove
Ramiro Cortez	Boronda County Sanitation District
Carlo Cortopassi	Castroville Service Area 14
Jack D. Barlich	Del Rey Oaks
Charles Scholl [Appointed 1/04]	Marina Coast Water District
Theresa Canepa	Monterey
W.B. "Butch" Lindley	Monterey County
Janet Barnes [Alternate]	Salinas
David Pendergrass	Sand City
Darryl Choates	Seaside
Dewey J. Baird	U.S. Army - Ex-Officio

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BOARD MEMBERS ABSENT:

Gloria De La Rosa

Salinas

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
Kelly Cadiente	Accountant
Ed Oyama	Project Engineer
Bob Holden	Reclamation Project Coordinator
Mark Malanka	Operations and Maintenance Program Coordinator
Dan Burns	Operations Manager
Carol Simon	Operator
Jesse Chacon	Operator
Lindsay Synstebly	Customer Service Representative
Eric Synstebly	Cogeneration Mechanic

OTHERS PRESENT:

Bjorn Lundergard – City of Seaside

Ryan Shaw – Communication Planners

AUDIENCE:

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4. PUBLIC COMMENTS

[At 7:04 p.m., with no comments received, Chair Shirrel opened and closed Public Comments.]

5. PUBLIC HEARING

A. Lien Hearing for Delinquent Sewer Capacity Charges

Mr. Buell, referring to page 7, explained that Robert and Carol Batson have paid the fees. The only remaining delinquent amount is Artichoke Industries/Bank of America for \$30,612.40, which will be paid when the property taxes are paid. The outstanding money due is the last year of the original ten-year agreement for capacity charges at \$30,000 a year. Three years ago Artichoke Industries went into bankruptcy. The property is not presently occupied, thus the capacity is not being used. This is the most cost-effective way for the Agency to recover the capacity fees.

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[At 7:05 p.m., with no comments from the public, Chair Shirrel opened and closed the public hearing.]

B. Adopt Resolution No. 2004-01, A Resolution of the MRWPCA Declaring Liens Against Real Property for Delinquent Sewer Capacity Charges

ACTION TAKEN: On a motion by Mrs. Canepa, seconded by Mr. Fisher, the Board unanimously approved Resolution No. 2004-01, Declaring Liens Against Real Property for Delinquent Sewer Capacity Charges (Artichoke Industries/Bank of America - \$30,612.40).

6. CONSENT AGENDA

ACTION TAKEN: On a motion by Mr. Fisher, seconded by Mr. Barlich, the Board unanimously approved the Consent Agenda, Items A through K, as follows:

- A. Approve Minutes - Regular Meeting – November 24, 2003**
- B. Receive Financial Statements – September, October, November 2003**
- C. Receive Comparison Percentage of Budget Expended Through November/December 2003 vs. 2002**
- D. Receive Check Register – October 2003**
- E. Receive Plant Flows and Effluent Quality for Connected Agencies, Plus Flow Charts for Fort Ord and Marina – November/December 2003**
- 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. Receive Residential Dwelling-Unit Aggregate as of December 31, 2003**
- I. Receive Explanation on 2003/03 Audit Issues Raised at the November Board Meeting**
- J. Adopt Resolution No. 2004-02, Authorizing Purchase of One 300 HP Robicon Variable Frequency Drive for the RTP Trickling Filters Without Competitive Bidding Under Exception to Purchasing Resolution No. 87-19**
- K. Adopt Resolution No. 2004-03, Supporting a Statewide Ballot Initiative to Require Voter Approval Before State Government May Take Local Tax Funds**

7. COMMITTEE REPORTS AND RELATED ACTION ITEMS

A. SPECIAL BUDGET/PERSONNEL COMMITTEE

- 1. Receive and Approve Committee Minutes/Report – Thursday, December 15, 2003**

ACTION TAKEN: On a motion by Mr. Fisher, seconded by Mrs. Canepa, the Board unanimously approved the Minutes/Report of the Special Budget/Personnel Committee meeting on Thursday, December 15, 2003, with action, as follows:

Action taken at the direction of and on behalf of the Board, findings were, as follows:

1. **Waive** irregularity on omission of the summary of professional experience in Addendum #4 in the bid of William A. Thayer Construction, Inc., and
2. **Deny** bid protests of AR'S Construction, Inc., Tombleson, Inc., Local 605 of the United Brotherhood of Carpenters and Joiners on behalf of Tombleson, Inc., and
3. **Award** contract for the Administrative Building Office Addition to William A. Thayer Construction, Inc., as the lowest, responsive, responsible bidder

[Agenda Item Nos. 7-B (1) and 7-C (1) were taken following Item 8-A below.]

8. OTHER ACTION ITEMS BEFORE THE BOARD

A. Adopt Ordinance No. 2004-01, An Ordinance Extending the Wastewater Allocation Plan

Mr. Jaques explained this is a 6-month extension of the Allocation Plan that expires in March 2004, which is based on the 1997 AMBAG population forecasts.

Mr. Lindley noted that several entities disagree with the new draft AMBAG population forecasts, and that those issues will need to be resolved before they are adopted.

ACTION TAKEN: On a motion by Mr. Fisher, seconded by Mrs. Canepa, on a unanimous Roll Call Vote, Ordinance No. 2004-01, An Ordinance Extending the Wastewater Allocation Plan (of Ordinance 1998-01) by Six Months, was adopted.

[Chair Shirrel noted that Agenda Item Nos. 7-B (1) and 7-C (1) would now be taken.]

7.

B. BUDGET/PERSONNEL COMMITTEE

1. Receive and Approve Committee Minutes/Report – Thursday, January 15, 2004

ACTION TAKEN: On a motion by Mrs. Canepa, seconded Mr. Barlich, the Board unanimously approved the Minutes/Report of the Budget/Personnel Committee meeting on Thursday, January 15, 2004, with the recommendation, as follows:

- That the Board approve MRWPCA conduct the member entities' Waste Discharge Requirements (WDR) Public Relations Program for \$30,000 on a reimbursable basis according to population for FY 04-05 (in 2002, the Board approved \$16,050 for FY 2003/04)

C. RECYCLED WATER STORAGE COMMITTEE

1. Receive and Approve Committee Minutes/Report – Thursday, January 15, 2004

Following approval, Mrs. Barnes commented that perhaps this item should have been tabled until the next meeting on behalf of the City of Salinas (i.e., \$17,000 expense for the City of Salinas, according to population), stating that without the Public Works Director present, she is unaware of the city being included and budgeting the subject program.

To a request by Mr. Choates for clarification to Mrs. Barnes, Mr. Jaques reported that all entities had been provided their estimated costs of the joint effort, with MRWPCA providing the grease program outreach coordination service required by the State of California of the member entities. Mr. Jaques reported that other districts (i.e., Carmel Area Wastewater District and Pebble Beach Community Services District) have come forward stating that they would also like to be included in the pool for the coordinated effort by MRWPCA, thus lowering everyone else's cost. The action on this item only approves MRWPCA participation with the dollars and cents being divided among the participating entities. A letter was sent to John Fair the week of January 19 regarding this issue.

Mr. Israel noted that this is early notification for next year's budget discussions among the member entities desiring to participate because of the required program being imposed by the state program. Discussions will follow, with plenty of time to take action within the member entities.

To an inquiry by Mr. Fisher, Mr. Jaques noted that the disparity in amounts between the City of Salinas and the County of Monterey (i.e., \$17,000 vs. \$1,000) is because there are only a few areas of the County of Monterey covered by this program (i.e., Castroville, Moss Landing, and Boronda County Sanitation Districts) which are small populations compared to the whole County of Monterey.

To a further inquiry by Mr. Fisher, Mr. Jaques explained it will be a similar public education program as the one in Pacific Grove (i.e., movie theatre ads, radio, etc.).

ACTION TAKEN: On a motion by Mr. Fisher, seconded Mr. Barlich, the Board unanimously approved the Minutes/Report of the Recycled Water Storage Committee meeting on Thursday, January 15, 2004, with no recommendations.

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9. INFORMATIONAL ITEMS

A. Fort Ord Issues Status Summary

Mr. Buell noted no changes to report this month.

B. Reclamation Project Status Summary

Mr. Israel reported that the plant is still down with the continuing rain. The plan is to startup in February, depending upon the weather, because the water levels are down from a year ago.

C. Strategic Planning Goals (2002-2005) and One-Year Objectives (June 2003 to 2004) Update

Mr. Israel reported that the Strategic Planning Workshop is scheduled for Friday, April 23 (location to be announced).

D. Establish Nomination Committee for Election of Board Officers for 2004

Chair Shirrel appointed Theresa Canepa (Chair), Ramiro Cortez, and Morrie Fisher.

E. Salinas Pump Station Variable Frequency Drive Project Progress Report (Final)

There were no questions for Mr. Oyama.

10. EMPLOYEE RECOGNITION

Chair Shirrel called Ed Oyama forward for surprise recognition on his successful partnering of major projects without claims.

As the Salinas Pump Station VFD Project comes to a completion, another successful project is acknowledged with appreciation along with all the other projects (i.e., Demolition of the old Treatment Plants, Reclamation Project, Headworks Bypass Project). The success has been achieved by getting all parties together at the beginning of each project and establishing mutual goals with the objective of completing projects on time and within budget. Ed has done this very successfully and without expensive claims and litigation from the contractors. Ed was thanked and acknowledged for a job well done and was provided with tokens of appreciation.

A. Recognize Lindsay Synstebly for Obtaining an Associate of Arts Degree

Before presenting Lindsay's framed degree, Chair Shirrel noted that Lindsay began working part-time at MRWPCA in September 1986 while attending Pacific Grove High School. Lindsay progressed from July 1988 as an Office Assistant, to Administrative Secretary in July 1989, then in August 1990 to a Customer Service Representative, and two years later to a Rep I and in August 1993 to a Rep II. And, since 1997, Lindsay has been the primary ratepayers' contact in the Customer Service Department.

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In August 1996, Lindsay started night classes and in August 2003, received an AA Degree and is now working towards her BA in Human Resources.

In addition to Lindsay's dedication toward her job and education, Lindsay and her husband Eric are raising three children. Lindsay is our example as to why we have such a great reputation for "excellent customer service."

B. Recognize Jesse Chacon for Obtaining a Grade I Distribution Operator Certificate

Before presenting the framed certificate, Chair Shirrel noted that Jesse started with MRWPCA in May of 2002, performing maintenance and operations on the Castroville Seawater Intrusion Project, and currently holds the distinction of being the youngest employee.

Jesse not only passed the Grade I Distribution Certification from the Department of Health Services, but also completed a number of water and wastewater classes to prepare himself for the Grade II Certification he is taking in May.

Jesse's outside endeavors include making record albums and DJing a weekend radio show. He also hopes to purchase his own home by age 23, which is about to begin construction. He has a great sense of humor and his attitude and work ethic are among the best.

D. Recognize Carol Simon for Selection to the Operations Supervisor Internship Program

Before presenting a framed certificate, Chair Shirrel noted that Carol was selected for the Supervising Wastewater Operator Internship Program after a comprehensive evaluation and selection process, competing against several other employees. She is currently being exposed to the challenges that face a supervising wastewater operator, and will receive coaching over the next 12 to 18 months that will help her develop the skills to be a supervising wastewater operator.

Carol has been an employee since 1992, and started her career as an Operator-in-Training. Currently, Carol is certified as a Grade III Wastewater Operator, and is studying to obtain a Grade IV license. She also holds a current Grade II Water Distribution Operator license and has completed training in preventative maintenance repair.

Carol is full of energy and always has a smile, and particularly loves to purchase a white sheet cake from Costco to share with the entire plant at lunch time!

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[Note: Both William Franks, (Grade II Distribution Operator Certificate) and James Dix (Selection to the Operations Supervisor Internship Program) could not be present at the meeting and will be recognized at the February 23 Board meeting.]

11. CORRESPONDENCE

There were no questions or comments on the two items of correspondence present in the agenda.

12. STAFF REPORTS

A. General Manager/Legal Counsel

Mr. Israel noted the two handouts before the Board.

B. Department Head(s)

There were no further reports.

10. BOARD MEMBER COMMENTS

There were no further comments.

11. ADJOURNMENT

With no further business, Chair Shirrel adjourned the meeting at 7:44 p.m. to the next Regularly-Scheduled Board Meeting on Monday, February 23, 2004, at 7:00 p.m.

Keith E. Israel
General Manager/Secretary to the Board

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

Date Passed: February 23, 2004