



PAJARO VALLEY WATER MANAGEMENT AGENCY

36 BRENNAN STREET • WATSONVILLE, CA 95076
TEL: (831) 722-9292 • FAX: (831) 722-3139
email: info@pvwater.org • <http://www.pvwater.org>

**Board of Directors Meeting
December 16, 2015 7:00 p.m.**

**City Council Chambers
275 Main Street, 4th Floor
Watsonville, CA 95076**

BOARD MEETING MINUTES

1. **Call to Order:** The Regular Board Meeting of Pajaro Valley Water Management Agency was called to order at 7:01 by Chair Imazio, in the City Council Chambers, 275 Main Street, 4th Floor, Watsonville, CA.

2. **Roll call of the PVWMA Directors:**

Board Members Present: Imazio, Persoff, Cavanaugh, Faurot, Zamora

Board Members Absent: Newell, Lynn

Staff Members Present: Mary Bannister, General Manager (GM)
Brian Lockwood, Sr. Water Resources Hydrologist (SWRH)
Teresa Delfino, Finance and Administrative Services Manager (FASM)
Laura R. Taay, Board Secretary
Nancy Trevino, Financial Analyst
Marcus Mendiola, Water Conservation & Outreach Specialist

Others Present: Lauren Valk, Agency Counsel (AC)
Warren Koenig, Public
Erin McCarthy, Consultant
Tom Rider, Public
Steve Stagnaro, Consultant

3. **Pledge of Allegiance**

4. **Oral Communications:** None

5. **Director Comments:** Director Persoff stated he had been invited by PVWater Meter Coordinator, Leonard Villanueva, to visit the Meter Shop. Villanueva showed the metering process, repair of meters and full procedure for keeping meters in service and fully calibrated. Director Persoff was very pleased on the job Villanueva is doing. Director Persoff also shared that he is quite confident that the bills that go out to our customers are accurate and if deviated at all would only be a small amount that the agency would lose.

6. **Counsel Report:** AC Valk gave an updated report on the Great Oaks Water Company v. Santa Clara Valley Water District. The Sixth District court of Appeal issued its third

decision where it held that the water district’s groundwater pumping fees are property-related fees subject to Prop. 218. This decision came after the court’s second re-hearing of the case and is not substantially different than its previous two decisions.

AC Valk also reported that this week California State Association of Counties (CSAC), the League of California Cities and the Association of California Water Agencies (ACWA) constitutional amendment with the Californian Attorney General’s Office for the November 2016 ballot to provide more flexibility for water agencies to establish a tiered rate structure to encourage water conservation. Earlier this year, the court of appeal ruled that while tiered rates are legal under Prop. 218, the rates approved by the City of San Juan Capistrano were unconstitutional because the City failed to demonstrate that the tiers it established corresponded to the actual cost of providing the service for each parcel. However, other cases, such as Griffith v. PVWMA and Morgan v. Imperial Irrigation District, have held that allocating cost of service does not require a parcel by parcel analysis, but instead can be based on a class of users that create different costs. ACWA’s proposal is to amend the Constitution to provide an alternative process to Prop 218 for establishing tiered rates. Under the new process, agencies would not be held to the strict parcel by parcel analysis required under the San Juan Capistrano case.

- 7. **General Manager Report:** GM reported hosting a meeting held on Monday, December 14, 2015. In attendance were 4 representatives of the Nature Conservancy Group (NCG), (largest conservation group in the world) and IRWM partners from Santa Clara Valley and San Benito County Water Districts. NCG had an interest in seeing the recycle facility and spoke of the potential of working together on projects.

8. **Consent Agenda**

- A. Approved November 2015 Minutes
- B. Admin/Finance Committee meeting of December 8, 2015, cancelled due to lack of quorum.
- C. Meeting Schedule for 2016 was approved.

Action: Director Faurot moved to approve the Consent Agenda; seconded by Director Cavanaugh.

Motion carried by the following voice vote:

AYES: Imazio, Persoff, Cavanaugh, Faurot, Zamora
NOES: None
ABSENT: Newell, Lynn
ABSTAIN: None

9. **Informational Items**

- A. Capital Projects Planning, Funding and Construction Update was received from SWRH Lockwood

10. **Discussion and/or Action Items**

- A. Consider Resolution 2015-31 Authorizing Distribution of the Conservation Survey
 SWRH Lockwood discussed a long awaited survey. Resolution 2015-31 would allow the agency to implement and disbursement of a regular Conservation Survey to help in identifying the area and acreage served by each well. The information will also be helpful to focus on conservation resources where it might be most effective and with the possibility of having a tiered rates structure in the future.

Action: Director Cavanaugh moved for the Board to adopt Resolution 2015-31 authorizing distribution of the Conservation Survey with the appropriate changes; seconded by Director Faurot

Motion carried by the following voice vote:

AYES: Imazio, Persoff, Cavanaugh, Faurot, Zamora
NOES: None
ABSENT: Newell, Lynn
ABSTAIN: None

11. Monthly Reports/Presentations

- A. Facility Operations Report
 - 1. Receive 2015 Supplemental Water Production Monthly Summary Report
- B. Board Committee Reports available at www.pvwater.org
- C. Public Outreach Update

12. Written Communications/Correspondences

13. Future Meetings

- A. Administrative/Finance Committee, Tuesday, January 12, 2016, 4:00 p.m., PVWMA Conference Room, 36 Brennan Street, Watsonville
- B. Board of Directors, Wednesday, January 20, 2016, 7:00 p.m., City Council Chambers, 275 Main Street, 4th Floor, Watsonville
- C. Project & Facility Operations Committee, Wednesday, January 27, 2016, 3:00 p.m., Water Resources Center, 500 Clearwater Lane, Watsonville, CA *meeting date changed to February 24, 2016*

14. Future Agenda Items

- 1) Change order for Anderson Pacific
- 2) GM Performance Evaluation

Adjourned at 7:57 p.m.



Laura R. Taay, Board Secretary



Date Approved