



PAJARO VALLEY WATER MANAGEMENT AGENCY

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Board of Directors Meeting
City Council Chambers

July 2, 2008, 7:00 p.m.
250 Main Street, Watsonville, CA

SPECIAL CLOSED SESSION (6:30 p.m.)

Agenda Item

1. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(b):
(one potential case)

Closed Session Report:

The special closed session commenced at 6:30 p.m. and concluded at 7:00 p.m. with Directors Osmer, Imazio, Cervantes, Kegebein, Eiskamp, Dobler and Koenig, and Technical Division Manager Bannister and General Counsel Condotti present. No action was reported.

BUSINESS MEETING MINUTES (7:00 p.m.)

1. **Call to Order, Roll Call of the PVWMA Directors, and Pledge of Allegiance:** The Regular Board Meeting of Pajaro Valley Water Management Agency was called to order in the City Council Chambers, 250 Main Street, Watsonville, CA, at 7:00 p.m. by Chair Dobler.

Board Members Present: Osmer, Cervantes, Eiskamp, Kegebein, Imazio, Dobler, Koenig

Board Members Absent: None

Staff Members Present: Mary Bannister, Technical Division Manager (TDM)
Veronica Barboza, Administrative Analyst (AA)

Others Present: Anthony Condotti, Counsel

2. **Pledge of Allegiance**
3. **Oral Communications:** None
4. **Director and General Manager Comments:** Director Koenig commented that he had attended the Water Quality and Project Operations Committee Meeting and stated that the committee is making progress. Director Osmer reported on his attendance of the Santa Cruz County Farm Bureau Dinner. Lastly, TDM reported that the office construction on Lee Rd had closed and the notice of completion would be completed in a couple of weeks.
5. **Counsel Report:** Counsel noted that he will out of his office July 13th through the 15th.
6. **Discussion and/or Action Items**
- A. Consider approval of contracts with Telstar Instruments, Inc: TDM reported that the Supervisory Control and Data Acquisition (SCADA) is the computer-based instrumentation used to control and operate the water supply facilities for the Agency and for the Recycled Water Facility (RWF). Annual maintenance services are required from the instrumentation consultant for the regular projects operations, she further stated that in addition, an upgrade to a current version of the SCADA software, Wonderware, is needed to make the software

compatible with the RWF version. Lastly, TDM stated that the cost for each contract was \$25,000 for the Annual Maintenance and \$28,825 for the Wonderware Upgrade and both were budgeted for this 2008-2009 Fiscal Year. After discussion, the following action was taken:

◆ Motion by Director Eiskamp to approve Contracts with Telstar Instruments, as presented. Motion carried by the following roll call vote:

AYES: Osmer, Cervantes, Eiskamp, Kegebein, Imazio, Dobler, Koenig
NOES: None
ABSENT: None
ABSTAIN: None

- B. Consider approval of agreements for specialized legal services with Liebert Cassidy Whitmore: Counsel stated that against the back drop of recent staff cutbacks brought about in response to the Agency’s reduced augmentation charge revenues, a need has arisen for specialized legal services relating to personnel matters. He further stated that Liebert Cassidy Whitmore is a preeminent statewide firm specializing public agency employment and personnel matters. After further discussion, the following action was taken:

◆ Motion by Director Cervantes to approve Contract with Liebert Cassidy Whitmore for legal services for employment and personnel matters, as presented. Motion carried by the following roll call vote:

AYES: Dobler, Imazio, Eiskamp, Kegebein, Cervantes, Osmer, Koenig
NOES: None
ABSENT: None
ABSTAIN: None

- C. Consider revenue alternatives: Director Osmer reported that with the court mandated reduction and refund of the augmentation charge, the Agency’s current revenue sources will not generate sufficient funds to meet debt service requirements and fulfill the Agency’s long-term basin management responsibilities. He further stated that as the refund process unfolds over the next several weeks, the Board needs to move forward with development of a replacement revenue program. After further discussion, the following action was taken

◆ Motion by Director Kegebein to direct counsel to prepare an Ordinance to repeal the \$80 a/f and staff report with a legal analysis. Motion carried by the following roll call vote:

AYES: Dobler, Imazio, Eiskamp, Kegebein, Cervantes, Osmer, Koenig
NOES: None
ABSENT: None
ABSTAIN: None

Thereafter, the following action was taken:

◆ Motion by Director Koenig to direct chair to appoint a committee to study revenue alternatives. Motion carried by the following roll call vote:

AYES: Dobler, Imazio, Kegebein, Cervantes, Osmer, Koenig
NOES: Eiskamp
ABSENT: None
ABSTAIN: None

8. Written Communication/Correspondence: None

9. Future Meetings and Agenda Items

- A. Strategic Planning & Public Outreach (SPPO) Committee – July 8, 2008, 4:00 pm, PVWMA Conference Room
- B. Administrative/Finance Committee – July 9, 2008, 4:00 pm, PVWMA Conference Room
- C. Water Quality and Project Operations Committee - July 30, 2008, 2:00 pm – 4:00 pm, Waste Water Treatment Facility

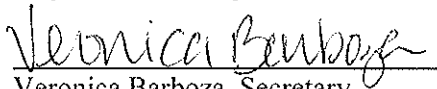
10. Closed Session

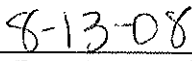
A. Labor Negotiations pursuant to Government Code Section 54957.6.

Position/employee: Interim General Manager Agency
Designated Representative: General Counsel

The closed session commenced at the conclusion of the open session portion of the meeting and concluded at approximately 9:00 p.m., with Directors Osmer, Imazio, Cervantes, Kegebein, Eiskamp, Dobler and Koenig, and Technical Division Manager Bannister and General Counsel Condotti present. No action was reported.

11. Adjourned: 9:00 pm


Veronica Barboza, Secretary


Date Approved