

## AGENDA ITEM #1

### MINUTES OF THE REGULAR MEETING OF THE COMMISSION OF SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT AUTHORITY

HELD AT THE OFFICES OF THE AUTHORITY  
7171 Fenwick Lane, Westminster, California

Friday, June 8, 2001  
9:30 a.m.

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#### **COMMISSIONERS PRESENT**

Janet Hashimoto - *US Environmental Protection Agency, Region IX*  
Dennis Dickerson - *Regional Water Quality Control Board, Los Angeles Region*  
Gerard Thibeault - *Regional Water Quality Control Board, Santa Ana Region*  
Arthur Coe - *Regional Water Quality Control Board, San Diego Region*  
Ing-Yih Cheng - *City of Los Angeles*  
Robert Horvath - *County Sanitation Districts of Los Angeles County*  
Robert Ghirelli - *Orange County Sanitation District*  
Alan Langworthy - *City of San Diego*

#### **STAFF PRESENT**

Stephen Weisberg - *Executive Director*  
Bryan Nece - *Administrative Officer*  
M. James Allen - *Principal Scientist*  
Steven Bay - *Principal Scientist*  
Kenneth Schiff - *Principal Scientist*  
Richard Marsh - *Legal Counsel*  
Emily Briscoe - *Bookkeeper*

#### **OTHERS PRESENT**

Not Recorded

Commissioner Horvath called the meeting to order at 10:00 am.

#### **CONSENT AGENDA**

1. **MINUTES OF MEETING HELD MARCH 9, 2001**
2. **QUARTERLY FINANCIAL STATEMENT FOR THE PERIOD ENDED MARCH 31, 2001**
3. **QUARTERLY STATEMENT OF INVESTMENTS AT MARCH 31, 2001**

Upon the motion of Commissioner Langworthy and seconded by Commissioner Coe, the consent agenda was unanimously approved.

#### **REGULAR AGENDA**

Commissioner Dickerson recommended that the Commission first address action items 8-11 because several Commissioners indicated that they needed to leave early. Following unanimous consent, Commissioner Horvath reordered the agenda.

#### **8. RESOLUTION # 01-5 ESTABLISHING RULES GOVERNING COMPENSATION, BENEFITS, AND PERSONNEL, POLICIES AND PROCEDURES**

The Executive Director reported that the proposed salary schedule was the same as last year's with five exceptions: 1) A new position classification (programmer/analyst) was created to recognize the increased specialization (beyond the research technician classification) required in our Information Management Department, 2) The salary scale of the Information Management Coordinator was placed at the same level as that of our Principal Scientists, 3) Authorized four additional scientist positions, reflecting the agency's growth, 4) raised the salary scale for all positions by 3.7% to reflect a cost of living increase, and 5) enhanced the medical benefit contribution so that all full-time employees now receive full premium coverage on the HMO plan.

Commissioner Ghirelli indicated that the Personnel and Finance Committee had reviewed the document and recommended its approval. Upon the motion of Commissioner Ghirelli and seconded by Commissioner Dickerson, Resolution No. 01-05 was unanimously approved.

#### **9. EMPLOYMENT CONTRACT OF EXECUTIVE DIRECTOR**

Upon the motion of Commissioner Langworthy, and seconded by Commissioner Thibeault, a motion was unanimously approved for the Commission to enter into closed session at 10:10 am to discuss Agenda Item 9.

After returning from the closed session at 10:20 am, Commissioner Ghirelli indicated that the Commission had discussed and was pleased with the Executive Director's performance. Commissioner Ghirelli emphasized that Dr. Weisberg had accomplished the goals that he had set forth when he started with the agency. Commissioner Ghirelli also pointed out that Dr. Weisberg had been responsible for transforming the Agency from an internally funded organization, to one with 60% of its funding from outside sources.

He indicated that the Commission recommended the following revisions to Dr. Weisberg's employment contract effective July 1, 2001: 1) increase the Executive Director's base salary to \$110,000, 2) award the Executive Director a \$15,000 bonus payable July 1, 2001 in recognition of his outstanding performance during the past year. In addition, the Commission agreed to further review the Executive Director's compensation package at the December Commission meeting. All other provisions of the contract would remain as previously adopted.

Commissioner Ghirelli motioned for approval of the Employment Contract for Dr. Weisberg. The motion was seconded by Commissioner Langworthy and carried unanimously.

At 10:40 am Commissioner Thibeault left the meeting.

#### **10. FISCAL YEAR 2001/2002 RESEARCH PLAN AND BUDGET**

The Executive Director presented the proposed fiscal year 2001/2002 Research Plan. He indicated the since the agency was focusing on multi-year projects, there were only a few new projects in the Research Plan. He also pointed out that he was pleased that 19 of the projects were being conducted in collaboration with other organizations.

Dr. Weisberg further pointed out that the proposed operating budget of \$5,023,197 was more than double that of two years ago. He indicated that his strategy for growth management was to enhance our interactions with partners and contractors, rather than to grow staff size to accommodate intermittent or short-term contracts. The realization of this strategy was reflected

in the much higher allocation of resources towards purchasing scientific services than in previous years.

Commissioner Ghirelli indicated that the Personnel and Finance Committee had reviewed the budget and recommended approval of the plan. CTAG Chair Posthumus was asked and responded that CTAG had reviewed the technical nature of the plan and recommended acceptance.

Upon motion of Commissioner Langworthy, seconded by Commissioner Cheng, and unanimously carried, the fiscal year 2001/2002 research plan was approved and the fiscal year 2001/2002 operating budget was adopted.

## **11. CONTRACT APPROVAL AND CONSIDERATION OF RESOLUTIONS**

The Executive Director described two contracts about which the agency had been contacted subsequent to the meeting agenda having been distributed.

State Water Resources Control Board  
New Pesticide Methods  
State Agreement # 00-194-140-0 (\$75,000)

The purpose of this contract is to work with Heal the Bay to develop new ELISA-based pesticide measurement methods that can be implemented by volunteer monitoring organizations. These methods would then be applied to collect data that will support the Los Angeles Regional Water Quality Control Board in preparing TMDLs for Malibu Creek.

University of California, Irvine  
Santa Ana River Chemical Marker Study  
(\$219,000)

This is a pilot study to investigate the efficacy of using chemical markers to identify the source of microbial contamination from the Santa Ana River estuary and associated wetlands.

A need to take action arose subsequently to the posting of the agenda. Upon the motion of Commissioner Coe and seconded by Commissioner Chang, a motion was passed to add these two contracts to the agenda. Commissioner Dickerson abstained.

Commissioner Ghirelli inquired about potential conflict of interest issues concerning voting on contract approval. During discussion of these contracts it was mentioned that some of them involve agencies, which are represented on the Commission. That resulted in the Commission requesting that the Authority's legal counsel, Dick Marsh, prepare a legal opinion about this matter at the next Commission meeting.

A few of the Commissioners felt that they should abstain on certain contracts because of potential conflict of interest issues. This resulted in the Commission agreeing to approve contracts in groupings, based on who felt they needed to abstain on selected contracts.

The Executive Director requested that the Commission endorse the following that have been, or will be offered to the Authority.

Orange County Sanitation District  
Plume Dispersion And Mixing in Upper Newport Bay (\$82,500)

US Environmental Protection Agency  
Spatial Modeling Applied To Statistical Surveys Of Aquatic Resources (\$70,000)

U.S. Environmental Protection Agency  
Nutrient Criteria Development in Southern California Estuaries (\$45,000)

Ultramar Diamond Shamrock (UDS)  
Analyzing Sediments in San Francisco Bay (\$42,000)

Irvine Ranch Water District  
Residential Runoff Reduction Study (\$100,000)

University of Maryland  
LABNET (\$20,000)

Upon motion of Commissioner Ghirelli and seconded by Commissioner Langworthy, these contracts were unanimously approved.

Several organizations, particularly State of California agencies, require a resolution by our governing body authorizing the execution of contracts and amendments. The Executive Director requested that the Commission approve the following resolutions regarding contracts that have or will be offered to the Authority.

State Water Resources Control Board  
Assess the Nature and Magnitude of Seasonal and Climatic Variation in Southern California Bight Benthic Communities  
State Agreement # 00-151-250-0 (\$100,000)

State Water Resources Control Board  
Technical Support for TMDLs on the LA River, Santa Monica Bay and Malibu Creek  
State Agreement # 9-151-140-0 (\$135,000)

State Water Resources Control Board  
Technical Support for TMDLs on the LA River, Santa Monica Bay and Malibu Creek  
(\$150,000)

State Water Resources Control Board  
Microbiological Indicator Development (\$575,000)

State Water Resources Control Board  
Implementation and Evaluation of BMPs for Improving Coastal Water Quality (\$354,860)

State Water Resources Control Board  
Assessment of the Extent and Cause of Sediment Quality Impairment at Chollas Creek and Paleta Creek in San Diego Bay (\$306,680)

State Water Resources Control Board  
Investigation of Metals Toxicity in San Diego Creek (\$70,000)

State Water Resources Control Board  
Development Of Nutrient Water Quality Criteria For Newport Back Bay  
State Agreement # 00-181-180-0 (\$145,000)

State Water Resources Control Board  
Investigation of Pollutant Contributions from Industrial Stormwater (\$82,500)

State Water Resources Control Board  
New Pesticide Methods  
State Agreement # 00-194-140-0 (\$75,000)

Upon the motion of Commissioner Langworthy and seconded by Commissioner Ghirelli, these contracts were approved, with Commissioners Martinson and Dickerson abstaining.

California Coastal Conservancy  
Nearshore Fish Population Assemblages (\$100,000)

Department of Pesticide Regulation  
Trace Metal Contributions To San Diego Bay From Vessel Antifouling Paint And  
Underwater Hull Cleaning Activities (\$35,000)

California Coastal Conservancy  
Personnel Agreement for the Southern California Wetlands Recovery Project Science  
Advisory Panel (\$50,000)

University of California, Irvine  
Santa Ana River Chemical Marker Study (\$219,000)

Upon the motion of Commissioner Ghirelli and seconded by Commissioner Dickerson, these contracts were unanimously approved.

Santa Monica Bay Restoration Program  
Estimates Of Pollutant Inputs To Santa Monica Bay Via Aerial Deposition (\$50,000)

Upon the motion of Commissioner Ghirelli and seconded by Commissioner Cheng, the contract was approved, with Commissioner Dickerson abstaining.

The Administrative Officer reported that several organizations from which the Agency receives funding, particularly State of California agencies, require a resolution by our governing body authorizing the execution of contracts and any amendments. Since the Commission only meets quarterly, this can delay the contracting process as we wait for approval at the subsequent Commission meeting. He recommended that as an alternative to a resolution for each individual contract, the Commission adopt an encompassing resolution specifying the authority of the Executive Director up to the limits defined in the new Joint Powers Agreement dated July 1, 2001.

The Administrative Officer requested that the Commission approve Resolution # 01-21 authorizing the execution of contracts and any amendments on behalf of the Agency as set forth below:

Grants and contracts may be entered into by the Executive Director to the limit of One Hundred Thousand Dollars (\$100,000) per individual agreement and any grant or contract in excess of said sum but no more than Two Hundred and Fifty Thousand Dollars (\$250,000) may be entered into by the Executive Director provided it is approved by the Chair of the Commission prior to acceptance and execution by the Executive Director. Any grant or contract in excess of Two Hundred and Fifty Thousand Dollars (\$250,000) shall require the prior express approval of the Commission.

Upon the motion of Commissioner Langworthy and seconded by Commissioner Coe, Resolution Number 01-21 was unanimously approved.

#### **4. CTAG REPORT**

Bruce Posthumus, Chair of the Commission's Technical Advisory Committee (CTAG), reported that CTAG's last meeting was productive and focused on review of the 2001-2002 Research Plan. He reiterated that CTAG recommended approval of the plan.

#### **5. EXECUTIVE DIRECTOR'S REPORT**

The Executive Director reported that the Agency continues to do well. He said that he was pleased that the recent Director's Report included three pages of external communications, including seven peer-reviewed publications. He indicated that the seven publications in one quarter was equal to what the agency had accomplished during the entire three year period between 1992 and 1995.

The Executive Director updated the Commission on the status of the Joint Powers Agreement (JPA). He indicated that signed copies of the JPA have been received from all signatories, except the City of Los Angeles. Commissioner Cheng, representing the City of Los Angeles, indicated that the JPA was scheduled for approval by City Council next week. The Commission's legal counsel, Richard Marsh, was asked to comment on the status of the Authority if the City of Los Angeles did not provide a signed copy of the new JPA prior to expiration of the present JPA. Mr. Marsh opined that the Agency could continue operating as a JPA as long as there were at least two signatories.

The Executive Director presented a draft of a brochure about the organization that Commissioner Dickerson had requested at the previous Commission meeting. Dr. Weisberg also presented alternative styles of brochure that were used by other organizations. The Commission selected the style used in the draft presented by Dr. Weisberg, but commented that the present draft was too wordy. The Commission asked that he edit the text to make it more concise before printing the document.

#### **6. REPORT ON THE REGIONAL MONITORING PROGRAM**

The Executive Director gave an update on the status of the Regional Monitoring Program. He indicated that since the last Commission meeting, all of the data from the project has been received. He further indicated that the technical committees were all making good progress in their analysis, but that he didn't expect the next set of reports to be prepared until late in the year because of the complexity of the data analysis.

At 12:15 pm Commissioner Hashimoto left the meeting.

#### **7. FIVE YEAR VISION**

The Executive Director gave a brief review the goals he had for the organization five years ago, and his progress in achieving those goals. He next described his vision for the scientific and personnel directions of the agency for the next five years. His presentation centered around three issues: 1) the important new products the agency would focus its effort toward, 2) technical areas for expansion, and 3) implementation strategy. His presentation was favorably received, but several Commissioners identified substantive questions raised by Dr. Weisberg that required more discussion than could be accomplished in the time remaining for this meeting. The Commission agreed that a full day planning meeting should be scheduled to address key issues regarding the Agency's long-term future.

At 12:30 pm Commissioner Langworthy left the meeting.

Upon motion of Commissioner Dickerson, seconded by Commissioner Ghirelli, and unanimously carried, an off-site special Commission planning meeting was scheduled for September 6, 2001 at a location to be determined later.

**12. OTHER BUSINESS AND COMMUNICATIONS**

Commissioner Dickerson mentioned that his Regional Board would be holding a special event in August for staff training and hoped SCCWRP staff would provide a briefing. Two of the Agency's recently hired scientists, Dr. Kerry Ritter. and Dr. Martha Sutula were introduced to the Commission.

**13. FUTURE MEETING AGENDA ITEMS**

Commissioner Ghirelli requested that the Authority's legal counsel provide an opinion at the next Commission meeting concerning potential conflict of interest issues regarding votes on contract approval.

**14. PUBLIC COMMENTS**

There were no requests.

**15. ADJOURNMENT**

Commissioner Horvath adjourned the meeting at 1:00 pm to the Special Commission Meeting set for September 6, 9:00 a.m.

ATTEST:

Bryan Nece  
Secretary