

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 14, 2002
9:30 a.m.

COMMISSIONERS PRESENT

Gerard Thibeault - *Regional Water Quality Control Board, Santa Ana Region*
Arthur Coe - *Regional Water Quality Control Board, San Diego Region*
Dennis Dickerson - *Regional Water Quality Control Board, Los Angeles Region*
Mas Dojiri - *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*
Steven Bay - *Principal Scientist*
Kenneth Schiff - *Principal Scientist*
Jim Allen - *Principal Scientist*
Eddy Zeng - *Principal Scientist*
Richard Marsh - *Legal Counsel*

OTHERS PRESENT

Not Recorded

Commissioner Horvath called the meeting to order at 9:40 am.

CONSENT AGENDA

- 1. MINUTES OF MEETING HELD MARCH 8, 2002**
- 2. QUARTERLY FINANCIAL STATEMENT FOR THE PERIOD ENDED MARCH 31, 2002**
- 3. QUARTERLY STATEMENT OF INVESTMENTS AT MARCH 31, 2002**

Commissioner Coe motioned for approval of the consent agenda. Commissioner Ghirelli seconded the motion and the consent agenda was unanimously approved.

REGULAR AGENDA

4. EXECUTIVE DIRECTOR'S REPORT

Dr. Weisberg mentioned the awards that the Authority had recently received, an Environmental Achievement Award from the U.S. EPA, Region 9 and for Water Quality Research from the Los

Angeles Regional Water Quality Control Board. Dr. Weisberg introduced Eric Stein, Ph.D. a new member of the Authority, who will be heading up the Sources Department. Ken Schiff was promoted to a new position of Deputy Director and would be supporting the Executive Director.

Dr. Weisberg indicated that the Authority had committed to using SAS, a programming language for high-end statistical work. This would enhance the Authority's data analysis ability. Dr. Weisberg mentioned that he was serving on the Planning Committee for the California World Ocean Conference. He gave a summary of the planned sessions. The conference would be held in Santa Barbara.

5. MINUTES OF CTAG MEETING

Dave Montagne reported on the minutes of CTAG's last meeting. He reported that the last CTAG meeting focused on reviewing next year's research plan, discussing the Beach Water Quality Workshop (BWQW), a presentation by Steve Bay on the Contaminated Sediments Task Force study and microbial and chemical source tracking.

6. SCCWRP'S RETIREMENT PLAN

Dr. Weisberg indicated that SCCWRP does not participate in Social Security. Prior to 7/2/91, participation in Social Security was voluntary for public agencies. After 7/2/91, public agencies were required to participate in Social Security unless they participate in a public retirement system or contribute 7.5 percent of an employee's compensation to a defined contribution plan.

Dr. Weisberg reported that SCCWRP's retirement plan has been out of compliance with IRS regulations since July 1991. From 7/2/91 to 6/30/99, SCCWRP contributed only 5% of an employee's compensation, instead of the 7½% required by IRS. From 7/1/99, SCCWRP has contributed 7% to the majority of the employees, with the few not participating in the 403b match receiving 5%. A written legal opinion regarding this matter has been obtained. The liability to bring all past and present employees to the 7½% required plus interest since 7/1/91, is approximately \$310,000. The interest rate of 6.01%, was calculated using the average 10-year U.S. Treasury bill yield.

Commissioner Langworthy indicated that the Personnel and Finance Committee had reviewed this matter and recommended approval of the Resolution to bring the retirement plan into compliance according to the IRS regulations. Upon the motion of Commissioner Langworthy and seconded by Commissioner Dojiri, Resolution No. 02-03 was unanimously approved.

7. RESOLUTION 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 four exceptions: 1) The creation of a Deputy Director position to adequately handle the organization's growth, 2) Amend the retirement plan to be in compliance with IRS regulations by increasing the SEP-IRA contribution to 7.5% and deleting the 2% employer match to the 403b plan, 3) The adjustment of salary ranges for scientist positions to reflect revised salary survey information due to the high cost of housing, 4) Raised the salary scale for all positions by 3.3% to reflect a cost of living increase.

Commissioner Langworthy indicated that the Personnel and Finance Committee had reviewed the document and recommended its approval. Upon the motion of Commissioner Langworthy and seconded by Commissioner Dickerson, Resolution No. 02-02 was unanimously approved.

8. EMPLOYMENT CONTRACT OF EXECUTIVE DIRECTOR

Commissioner Horvath reported it was the Commission's desire to sign a multi-year at-will employment agreement with the Executive Director, which was consistent with the JPA. He then

outlined the fundamental changes from the current agreement. Commissioner Langworthy acknowledged the outstanding effort that Commissioner Horvath and Ghirelli put into this matter.

Commissioner Langworthy indicated that the Personnel and Finance Committee had reviewed the employment contract and recommended its approval. Upon the motion of Commissioner Langworthy and seconded by Commissioner Dickerson, the employment contract for the Executive Director was unanimously approved.

9. FISCAL YEAR 2002/2003 RESEARCH PLAN AND BUDGET

The Executive Director presented the proposed fiscal year 2002/2003 Research Plan. Dr. Weisberg pointed out that revenues had been increasing over the years and the number of multiple year contracts was up. He discussed Source Identification tools as being a new area of focus for the Authority, such as Microbial source tracking, chemical source identification and toxicity identification evaluation. The objective is to support the management decision process by answering key questions. How big is the problem? Is it getting better or worse? What's causing it? What can I do about it?

Dr. Weisberg indicated that his strategy for growth was to take a leadership role as a general contractor. The Authority would try not to do everything its self but focus on the big picture. The Authority would concentrate on its core strengths and assemble others as experts in their fields. He listed several examples, such as the Contaminated Sediment Task Force project, the San Diego Bay Epi Study, the Rapid Indicators Testing project, and the Microbial Source Tracking Evaluation study. Commissioner Dickerson mentioned that SCCWRP's work was very useful and valuable.

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 Dickerson, seconded by Commissioner Coe, and unanimously carried, the fiscal year 2002/2003 research plan was approved and the fiscal year 2002/2003 operating budget was adopted.

Commissioner Thibeault mentioned that Ken Schiff was an excellent candidate for the Deputy Director position.

10. CONTRACT APPROVAL

The JPA requires Commission approval on all contracts in excess of \$250,000. Several organizations, particularly State of California agencies, also 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 the following contracts that will be offered to the Authority.

State Water Resources Control Board (\$2,200,000)
Development of Sediment Quality Objectives for Enclosed Bays and Estuaries

Upon the motion of Commissioner Ghirelli and seconded by Commissioner Langworthy, this contract was unanimously approved

URS Corp. (\$251,078)
First Flush Stormwater Toxicity Study

Upon the motion of Commissioner Dickerson and seconded by Commissioner Coe, this contract was unanimously approved.

In addition, the Authority has accepted or indicated a willingness to accept the following contracts with value of \$250,000 or less. While the governing agreement of the Agency requires no Commission action on these, they were presented for discussion to ensure that the direction of the Authority's work is consistent with the desires of the Commission.

Santa Ana Regional Water Quality Control Board (\$38,200)
Rhine Channel Sediment Toxicity

Los Angeles Regional Water Quality Control Board (\$80,000)
San Gabriel River TMDL Support

State Water Resources Control Board (\$180,000)
Stormwater Model Monitoring Program

Stormwater Monitoring Coalition (\$240,000)
Microbial Source Tracking Methods Evaluation

US EPA (\$45,000)
Regional Estuarine Nutrient Criteria Development

Los Angeles Regional Water Quality Control Board (\$100,000)
Investigation Of Sediment Nutrient Dynamics

City of Carson (\$20,000)
Modeling The Dominguez Channel Watershed And Estuary

City of Los Angeles (\$68,000)
Estimates of Pollutants Inputs to Santa Monica Bay Via Aerial Deposition

US EPA (\$200,000)
Development Of A Regional Monitoring Program For Southern California Wetlands

State Water Resources Control Board (\$112,000)
Discharges To Areas Of Special Biological Significance

University of Rhode Island (\$60,000)
Open Data Access Protocols Distributed Data System

State Water Resources Control Board (\$100,000)
Intercalibration Of The Southern California Bays And Harbors Benthic Index And San Francisco Bay Benthic Assessment Methodology

NOAA Coastal Services Center (\$100,000)
Decision Support for Prioritizing Recovery of Southern California Riparian Ecosystems

U.S. Environmental Protection Agency (\$115,000)
Personnel Agreement

There were no objections and the Chair gave his approval to the contracts.

11. STORMWATER AGENCY MEMBERSHIP

The Authority's attorney, Dick Marsh provided an update on the Stormwater Agency Agreement with Los Angeles County. He outlined the issues that Los Angeles County had with the proposed Agreement. The Commission voiced a concern with changing the Memorandum of Agreement, which they had approved. The Commission's desire was to use the same Agreement for all stormwater agencies. The Commission requested that Mr. Marsh continue negotiating with the County. Mr. Marsh was to inform Los Angeles County that its proposed Agreement was unacceptable but the Commission was okay with minor revisions to the original agreement. Because of the changes, the Commission wants to review the final Agreement before signature.

12. 303D LISTING CONSISTENCY

Dr. Weisberg reported on the Authority's activities to enhance consistency in beach bacterial 303D listings within southern California. The Authority had coordinated a Beach Water Quality Work Group with the Regional Boards, which was productive. Dr. Weisberg presented a slide show summarizing the discussion points and the approach in the listing. The objective was to reach a regulatory listing consistency within the Regional Boards. The Commissioners felt this was excellent work and very important.

13. BIGHT'03 REGIONAL SURVEY

Dr. Weisberg indicated that four of the Bight'98 regional survey reports had been published and the balance of them would be out by year-end. The first phase for the Bight'03 regional survey would focus on recruitment of participants, initiated through a workshop hosted by EPA Region IX, on August fifth at Orange County Sanitation District's faculty. Dr. Weisberg then discussed the agenda for the workshop and the planned speakers.

14. OTHER BUSINESS AND COMMUNICATIONS

Commissioner Dickerson inquired if SCCWRP, would be interested in a Dominguez Channel core-sampling project this summer. The sponsors were the Los Angeles Regional Water Quality Control Board, Los Angeles County and the ports. He also mentioned an up coming hearing on June 24 and 25, regarding a ban on food containers in landfills. Next, Commissioner Dickerson announced that there would be a water quality workshop in the fall for interested board members of member agencies. He also announced that the Los Angeles Regional Water Quality Control Board would be holding a wet weather TMDL workshop on June 27 and requested that SCCWRP participate.

15. PUBLIC COMMENTS

Irwin Haydock spoke on general interests before the Commission.

16. FUTURE MEETING AGENDA ITEMS

There were no requests.

17. ADJOURNMENT

Commissioner Horvath adjourned the meeting at 12:52 pm.

ATTEST:

Bryan Nece
Secretary