

PACIFIC CITY JWSA BOARD OF DIRECTORS
SPECIAL MEETING MINUTES

June 5, 2009

Chairman Kellow called the meeting to order at 10:00 AM, in the Authority's meeting room and the purpose of the meeting was to discuss construction contract and the Corps of Engineers permit and the Pall procurement update and to authorize a construction contract award.

Directors present were Doug Kellow, Carolyn McVicker, Dick Carter and Larry Rouse.

Staff Present: Tony Owen

Board of Directors Comments on Construction Contract

Mr. Owen stated that there were no challenges or protests of the PCJWSA intent to award Laskey-Clifton a construction contract for the Horn Creek project. Mr. Owen recommended that PCJWSA approve this award to Laskey-Clifton in the amount \$2,990,518.00. Board of Directors agreed.

NMFS Corps of Engineers Permit

Mr. Owen said that the permit was somewhat different than expected but recommended signing and appealing later. Mr. Owen gave a dissertation of the risks of signing or not signing the permit. Discussion continued regarding the permit, stream flows and water rights.

Pall Equipment Procurement Update

Mr. Owen reminded the board of Pall's original warranty and liability stipulations and informed the board that Pall had removed the warranty issue but not liability, being held to two times the contract amount. Mr. Owen continued that PCJWSA has \$500,000.00 tort coverage and 4.5 million dollars in general liability and Hudson Insurance did not feel it was necessary to have third party insurance. Mr. Owen said that he was still pushing Pall for \$1,000.00 and \$2,000,000.00 aggregate. Mr. Owen reported that PCJWSA is also asking for a ten year price guarantee on the membranes' and the second module.

Authorize Construction Contract Award

Motion

Director Carter moved to issue a contract to Laskey-Clifton for the Horn Creek Water Treatment Plant Schedule 1 plus 2B in the amount of \$2,990,518.00. Director Rouse seconded, and the motion carried with four ayes.

Authorization to Sign the Corps of Engineers Permit and File Appeal

Motion

Director Carter moved to sign the Corps of Engineers permit and proceed with the filing of an appeal. Director McVicker seconded, and the motion carried with four ayes.

GUEST QUESTIONS AND COMMENTS

None

Chairman Kellow adjourned the meeting at 10:20 PM.

The PCJWSA Board of Directors approved these minutes on July 1, 2009 by the following votes:

Aye_____ Nay_____ Abstain_____ Absent_____

ATTEST:

Doug Kellow, Chairman

Tony Owen, Authority Manager