



Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
September 18, 2017

Draft Minutes

1. Call to Order:

President Gustafson called the meeting to order at 6:30 p.m. on September 18, 2017 at the Marina Council Chambers, 211 Hillcrest Avenue, Marina, California.

2. Roll Call:

Board Members Present:

Howard Gustafson – President
Thomas P. Moore – Vice President
Bill Lee
Jan Shriner
Herbert Cortez

Board Members Absent:

None

Staff Members Present:

Keith Van Der Maaten, General Manager
Roger Masuda, Legal Counsel
Michael Wegley, District Engineer
Kelly Cadiente, Director of Administrative Services
James Derbin, Operations and Maintenance Superintendent
Brian True, Capital Projects Manager
Jean Premutati, Human Resources/Customer Relations Manager
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Joe Correa, MCWD
Lidia Derbin
Cora Derbin
Phil Clark, Seaside Resident
Andrew Sterbenz, Schaaf & Wheeler
Efreem Valentin, East Garrison Resident

Joe Pineda, MCWD
Rene Magdaleno, MCWD

3. Public Comment on Closed Session Items:

None.

The Board entered into closed session at 6:31 p.m. to discuss the following items:

4. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) Ag Land Trust v. Marina Coast Water District, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case Nos. H038550 and H039559
- 2) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019 & A.13-05-017 Settlement Agreement
- 3) Marina Coast Water District v. California Public Utilities Commission, California Supreme Court Case No. S230728, Writ of Review
- 4) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief)
- 5) Marina Coast Water District vs. California-American Water Company, Monterey County Water Resources Agency, and Does 1 through 50, San Francisco Superior Court Case No. CGC-15-547125 (Complaint for Breach of Warranties, etc.)
- 6) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180839 (Petition for Writ of Mandate). Sixth District Court of Appeal Case No. H042742
- 7) Marina Coast Water District v, California State Lands Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180895 (Petition for Writ of Mandate)

B. Pursuant to Government Code 54956.8

Conference with Real Property Negotiator

Property: Sewer Infrastructure

Negotiating Parties: Howard Gustafson, Thomas Moore

Under Negotiation: Price and Terms

- C. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Recycled Water Pipeline, Recycled Water
Agency Negotiators: Howard Gustafson, Thomas Moore
Negotiating parties: MRWPCA and MCWD
Under Negotiation: Price and Terms

The Board ended closed session at 7:03 p.m.

President Gustafson reconvened the meeting to open session at 7:04 p.m.

5. Reportable Actions Taken during Closed Session:

Mr. Roger Masuda, Legal Counsel, stated that, with regards to Item 4-A2, the Board authorized the General Manager to submit proposals to lease some potable to the Seaside Watermaster and some of the Pure Water Monterey recycled water to the Monterey Peninsula Water Management District. Mr. Masuda added that the proposals would be made public once they are signed.

6. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

7. Oral Communications:

None.

8. Presentation:

- A. Consider Adoption of Resolution No. 2017-59 to Recognize and Appreciate James Derbin's Service to the District Due to the Announcement of His Resignation:

Vice President Moore made a motion to adopt Resolution No. 2017-59 in recognition and appreciation of James Derbin's service to the District due to the announcement of his resignation. Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Moore	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Cortez	-	Yes			

President Gustafson read the narration and presented Mr. Durbin with a signed resolution of appreciation.

9. Consent Calendar:

Vice President Moore made a motion to approve the Consent Calendar consisting of A) Receive and File the Check Register for the Month of August 2017; B) Approve the Draft Minutes of the Joint Board/GSA Meeting of August 21, 2017; and, C) Approve Changing the October 2, 2017 Rate and Master Plan Capacity Fee Workshop to October 9, 2017 due to Scheduling Conflicts. Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Moore	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Cortez	-	Yes			

10. Action Items:

A. Consider Adoption of Resolution No. 2017-60 to Approve the 2017 5-Year Strategic Plan:

Ms. Jean Premutati, Human Resources/Customer Service Manager, introduced this item. Director Shriner asked to remove the words “framed in question form” from the Core Values on page 4 of the Plan. Vice President Moore suggested adding Groundwater Sustainability Agency to the title page and introduction. Director Shriner suggested adding SGMA and GSA to the Glossary of Acronyms.

Vice President Moore made a motion to approve the 2017 5-Year Strategic Plan with the additional language added. Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Moore	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Cortez	-	Yes			

B. Consider Approving the District’s 2017 “Year in Review”:

Mr. Keith Van Der Maaten, General Manager, introduced this item. Mr. Van Der Maaten and the Board reviewed proposed changes and/or clarifications. Several changes are to include legends on the maps; repeating the third paragraph from the “To Our Customer” page, on the last page; adding signatures for the Board President and General Manager; using a local picture on the first page; several language changes to page 5, 7, and 9.

The Board requested staff to bring this item back for approval in October.

C. Consider Adoption of Resolution No. 2017-61 Directing Staff to Write-Off Two Aged Development Account Balances in the Total Amount of \$14,648:

Mr. Brian True, Capital Projects Manager, introduced this item. The Board asked clarifying questions.

Agenda Item 10-C (continued):

Vice President Moore made a motion to direct staff to write-off two aged development account balances in the total amount of \$14,648. Director Shriner seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Moore	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Cortez	-	Yes			

D. Consider Providing Direction to the Board President Regarding Voting for the ACWA Region 5 Board:

Vice President Moore made a motion to direct the Board President to vote for the recommended slate. Director Shriner seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Moore	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Cortez	-	Yes			

11. Staff Report:

A. Receive a Report on the State of MCWD's Groundwater Sustainability Agency:

Mr. Michael Wegley, District Engineer, introduced this item and updated the Board on the state of the MCWD Groundwater Sustainability Agency. Vice President Moore inquired on what goes into a Coordination Agreement between GSA's.

12. Informational Items:

A. General Manager's Report:

No report.

B. Counsel's Report:

No report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Shriner gave a brief update.

2. Joint City District Committee:

Vice President Moore stated the meeting was scheduled for Wednesday, October 25th.

3. Executive Committee:

President Gustafson noted that they met on September 11th and the meeting was boiler plate.

4. Community Outreach Committee:

President Gustafson noted that they met on September 11th and the meeting was boiler plate.

5. Budget and Personnel Committee:

President Gustafson noted that they met on September 11th and the meeting was boiler plate.

6. MOW Board Member:

Vice President Moore gave a brief update noting the next meeting was scheduled for September 25th.

7. LAFCO Liaison:

No report.

8. FORA:

Director Moore gave a brief update.

9. WWOC:

Mr. Van Der Maaten stated the next meeting was scheduled for October 18th.

10. JPIA Liaison:

No report.

11. Special Districts Association Liaison:

The next meeting is scheduled for October 17th.

12. SVGSA Liaison:

No report.

13. Board Member Requests for Future Agenda Items:

President Gustafson noted that any requests could be emailed to staff.

14. Director's Comments:

Director Shriner, Director Cortez, Vice President Moore, and President Gustafson made comments.

15. Adjournment:

The meeting was adjourned at 7:59 p.m.

APPROVED:

Howard Gustafson, President

ATTEST:

Paula Riso, Deputy Secretary