

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
July 24, 2002  
7:00 p.m.

**Minutes**

1. Call to Order/Roll Call:

President Moore called the meeting to order at 7:00 p.m. on July 24, 2002.

Board Members Present:

Tom Moore - President  
David Brown - Vice-President  
Emmette Randle  
Kenneth Nishi  
Charles Scholl

Board Members Absent:

None.

Staff Members Present:

Mike Armstrong, General Manager  
Lloyd Lowrey, Legal Counsel  
Dave Meza, District Engineer  
Jim Dowless, Operations & Maintenance Superintendent  
Suresh Prasad, ASO for Finance & Technology  
Connie Chavoya, ASO for Administration & Personnel

Audience:

Mark Duplissie  
Bart Bruno, BT Investors  
Mike Wilson, Schaaf & Wheeler  
Fred Seamon, Oases International  
Jim Erickson, JM Electric  
Toan Bui, Developer  
Jeff Kilpatrick, Marina Gas/Diesel/Motel  
Luigi Delucchi, CS

2. Oral Communications:  
None.

3. Presentation:

A. Consider Awarding Five-Year Plaque and Gift Certificate to Mark Duplissie:

Mr. Armstrong read the narration commending Mr. Duplissie for his five years of service with the District.

On motion by President Moore, seconded by Director Randle; the Board award a plaque and a \$25.00 gift certificate to Mark Duplissie for five years of service to the District.

President Moore	-	Yes	Vice President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	Yes
Director Scholl	-	Yes			

Motion carried unanimously.

President Moore presented the plaque and gift certificate to Mark Duplissie.

B. Consider Awarding Five-Year Plaque and Gift Certificate to Tom DeAmaral:

On motion by President Moore, seconded by Vice-President Brown; the Board award a plaque and a \$25.00 gift certificate to Tom DeAmaral for five years of service to the District.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	Yes
Director Scholl	-	Yes			

Motion carried unanimously.

Mr. DeAmaral was not present and Director Moore presented the plaque and gift certificate to Mr. Jim Dowless, Operations & Maintenance Superintendent.

4. Action Items:

A. Consider Adoption of Resolution No. 2002-31 Granting Request for Variance of District Code: Appendix C, Water EDU's for Commercial, Industrial and Governmental Agency Connections (Hotel/motel/bed & breakfast units) - Holiday Inn Express:

Agenda Items 4-A (continued)

Due to a conflict of interest, Director Scholl stepped down from the Board at 7:08 p.m.

Mr. Meza informed the Board of the need to make a correction on Item #5 of Resolution No. 2002-31. A portion of the next to last sentence of Item #5 should read "payment of 0.33 af/unit until amendments." Mr. Meza briefed the Board on the variance request.

On motion by President Moore, seconded by Director Randle; the Board adopt Resolution No. 2002-31 granting the variance request by BT Investors for the Holiday Inn Express.

Director Nishi questioned where the 0.5 acre feet per unit came from and requested the documentation pertaining to the capacity charges paid by the Comfort Inn Suites in 1997. He also stated that he could not support the variance with the wording that was contained in Item No. 6 of the resolution. He suggested the paragraph be changed to read, "The granting of a variance from the imposition of capacity fees to the Holiday Inn Express project is in the best interest of the District since the 0.5 AF per room seems high and unfair as compared to other studies and since the District is in the process of revising these figures."

President Moore amended his motion to incorporate the changes in paragraph six of Resolution No. 2002-31 as noted. Director Randle seconded the amendment.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	Yes
Director Scholl	-		Abstained		

Motion carried.

B. Consider Adoption of Resolution No. 2002-35 Approving Agreement for Professional Services with Oases International to Provide Design/Build Seawater Desalination Retrofit Project:

Mr. Meza briefed the Board on the project and the costs. The Board was informed this was Phase I of the project and did not include construction.

Director Scholl asked for clarification on the \$57,000 grant from the California Energy Commission and was informed that the grant monies would not be available until completion of the project. He also questioned if the project could be implemented so that further enhancements could be accomplished in the future.

Agenda Item 4-B (continued)

Director Nishi questioned how reliable the in-take well and the injection well were. He also questioned what other project Oases had worked on and the information documenting the savings on the project. Mr. Meza responded to his questions and also stated that the District will really not know about the turbidity problem until the plant is run 24 hours per day, seven days a week.

On motion by Director Randle, seconded by Vice-President Brown; the Board adopt Resolution No. 2002-35 approving the agreement for professional services with Oases International to provide design work and to build a seawater desalination retrofit project.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
Director Scholl	-		Abstained		

Director Nishi stated the only way he could support the project was if the District did run the plant 24 hours per day, seven days per week. He also stated if the contractor felt the District would not have any turbidity problems, it should be in the agreement that Oases would agree to rectify any problems.

Motion carried.

President Moore requested that as design work proceeds staff provide the Board with additional costs calculations and physic calculations.

C. Consider Adoption of Resolution No. 2002-34 to Approve a Grant Agreement with the California Energy Commission as Administered by HDR Engineering Inc., for a Peak Load Reduction/Energy Efficiency Grant:

Mr. Meza briefed the Board on the grant agreement.

On motion by Director Randle, seconded by Vice-President Brown; the Board adopt Resolution No. 2002-34 approving the grant agreement with the California Energy Commission.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
Director Scholl	-		Yes		

Motion carried.

D. Consider Adoption of Resolution No. 2002-32 Approving Agreement for Professional Services with Schaaf & Wheeler to Prepare the Marina Water System Disinfection Feasibility Study:

Mr. Meza briefed the Board and Mr. Mike Wilson from Schaff & Wheeler responded to questions.

Director Nishi questioned if proposals were requested from other companies. Mr. Meza responded in the negative and indicated that the District looked to Schaaf and Wheeler because of their vast knowledge of the District/Fort Ord systems.

Director Scholl questioned the need to spend the monies for this project feeling that the District had enough knowledge to determine the best method to use.

Director Moore would also like to see water quality differences addressed in this study.

On motion by Director Randle, seconded by Vice-President Brown; the Board adopt Resolution No. 2002-32 approving the professional services agreement with Schaaf & Wheeler to prepare the disinfection feasibility study for the Marina water system.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
		Director Scholl	-	No	

Motion carried.

Five minute break taken from 8:35 p.m. to 8:40 p.m.

E. Consider Adoption of Resolution No. 2002-33 to Approve a Grant Agreement with the State Water Resources Control Board for a Water Recycling Facilities Planning Grant in Support of the Marina Airport Area Recycled Water Project:

The Board was briefed by Mr. Meza.

On motion by Vice-President Brown, seconded by Director Randle; the Board adopt Resolution No. 2002-33 approving the grant agreement with the State Water Resources Control Board for a water recycling facilities planning grant in support of the Marina Airport area recycled water project.

Agenda Item 4-E (continued)

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
Director Scholl	-	Yes			

Motion carried.

F. Review and Discuss the Operations and Maintenance Committee:

It was the consensus of the Board that the Operations & Maintenance Committee should continue with regular quarterly meetings.

G. Review and Discuss the 2002 Strategic Planning Process:

The following meeting dates were set by the Board to continue the Strategic Planning process:

Wednesday, August 21, 2002	-	5:00 p.m.
Wednesday, September 18, 2002	-	5:00 p.m.
Wednesday, October 16, 2002	-	5:00 p.m.

The Board agreed that not all Directors need to be present to proceed with a scheduled workshop.

H. Consider Appointment of Negotiators for Unrepresented Employee (General Manager):

On motion by Director Randle, seconded by Director Scholl; the Board appoint President Moore and Director Nishi, as members of the Budget & Personnel Committee, to negotiate with the General Manager. Motion carried unanimously.

5. Consent Agenda:

On motion by Vice-President Brown, seconded by Director Randle; the Board approve the Consent Agenda (approval of June 26, 2002 Board meeting minutes, approval of June 2002 expenditures and approval of the August 2002 newsletter) as presented.

President Moore	-	Yes	Vice-President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
Director Scholl	-	Yes			

Agenda Item 5 (continued)

Motion carried.

6. Informational Items:

A. General Manager's Report:

The General Manager reported that the District had received a letter from Mr. Jeffrey Kilpatrick stating that they are requesting a variance on the Marina Gas/Diesel/Motel project at 416 Reservation Road.

B. Legal Counsel's Report:

Mr. Lowrey informed the Board that during the break he had researched the issue of who had variance granting authority when the Comfort Inn project was considered. He reported that District ordinances in force at the time confirmed that the Board held that authority.

B-1. Prevailing Wage Issue:

Mr. Lowrey informed the Board that he researched the prevailing wage issue on the administrative buildings at Fort Ord and found that all laws had been complied with. Director Nishi requested a letter stating that all work performed by Meza Construction had complied with the prevailing wage laws. Mr. Lowrey responded that he could provide the Board with the results of the process he went through and his opinion of those results.

B-2. Statements of Economic Interest:

The Board was informed of the importance for each Director to comply with State requirements to complete turn in their Statement of Economic Interest forms. Mr. Lowrey indicated that one Director has not responded to the requirement and that Mr. Lowrey's next step would be to check with the FPPC as to what should be done.

C. Staff Reports:

C-1. Receive Status Report of the Marina Airport Area Recycled Water Project:

Director Nishi stated his concerns that the District is losing its independence and that Marina's recycled water is going to be determined by other people.

C-2. Receive Status Report of the Regional Urban Water Augmentation Project:

Director Scholl noted that the work being performed on this project can be seen on the Web. Director Nishi stated his concerns that the Carmel Area Wastewater District will be giving the District input on our project and that the District is receiving no input from the Directors.

D. Strategic Plan:

No comments.

E. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Randle commented on the wasting of water between the hours of 5:00 am and 7:00 am and questioned if the District had someone monitoring water use during those hours. The Board indicated this issue should be referred to the Water Conservation Commission.

2. Operations and Maintenance Committee:

No comments.

3. Budget and Personnel Committee:

No. comments.

4. Projects and Planning Committee:

No comments.

5. Joint City-District Committee:

No comments.

6. MRWPCA Board Member:

No comments.

7. LAFCO Liaison:



Director Scholl stated that he had attended the July LAFCO meeting and there was nothing to report.

8. JPIA Liaison:

The Committee was provided with a copy of a letter from JPIA commending the District on improvements to its Safety Programs.

F. District Correspondence:

None.

G. Director's Comments:

Director Nishi stated the following concerns: 1) the issue of the District's funds in LAIF has not been placed on the Budget & Personnel Committee agenda or addressed by the Board, 2) the Reeves issue on restaurant capacity charges had not been addressed, 3) he had not received the information requested on the Comfort Inn capacity charges, 4) the need for the Board to address the Comfort Inn issue and how to prevent it from occurring again, and 5) the request for the Directors to send an employee flowers when the District has already sent flowers.

Director Scholl commented on an upcoming meeting with the MRPCA and the need to meet beforehand to discuss the District's objectives.

President Moore concurred that staff should research the Comfort Inn issue and that legal counsel should let the Board know what the legal ramifications could be. The issue should then be brought to the Budget & Personnel Committee for review.

President Moore also addressed the question of a facilitator for the Strategic Planning workshop. The Board agreed that there would be no facilitator at the first workshop and that the General Manager would bring proposals to that meeting for consideration at the September and October workshops.

7. Closed Session:

Pursuant to Government Code Section 54956.9 the Board adjourned to Closed Session at 9:58 p.m. Conference with legal counsel on anticipated litigation.

The Board returned to Open Session at 10:05 p.m.

8. Possible Action on Closed Session Item:

On motion by Vice-President Brown, seconded by Director Randle; the Board authorize District legal counsel to file a validating action for the Fort Ord compensation plan with respect to FORA Ordinance 02-02 and MCWD Resolution 2002-16.

President Moore	-	Yes	Vice President Brown	-	Yes
Director Randle	-	Yes	Director Nishi	-	No
		Director Scholl	-	Yes	

Motion carried.

9. Adjournment:

Meeting was adjourned at 10:06 p.m.

APPROVED:

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Thomas P. Moore, President

ATTEST:

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Michael D. Armstrong, General Manager