

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
February 26, 2003  
7:00 p.m.

**Minutes**

1. Call to Order/Roll Call:

President Nishi called the meeting to order at 7:00 p.m. on February 26, 2003.

Board Members Present:

Ken Nishi – President  
Charles Scholl – Vice-President  
Tom Moore  
David Brown – arrived at 7:05 p.m.  
Ron Russo

Board Members Absent:

None.

Staff Members Present:

Mike Armstrong, General Manager  
Lloyd Lowrey, Legal Counsel  
Dave Meza, District Engineer  
Suresh Prasad, ASO Finance and Technology  
Rich Youngblood, Water Conservation Coordinator  
Evelina Adlawan, Technical Support Manager  
Jim Dowless, O & M Superintendent  
Paula Carina, Board Clerk

Audience:

Toan Bui  
Vienna Moore  
Bob Jacques

2. Oral Communications:

None.

3. Presentations:

A. Consider Awarding Five-Year Plaque and Gift Certificate to Paula Carina, Board Clerk/Executive Assistant:

Mr. Armstrong read the narration commending Ms. Carina for her five years with the District.

On motion by Director Moore, seconded by Vice-President Scholl; the Board award Paula Carina a five-year plaque and gift certificate. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

President Nishi presented her with the plaque and gift certificate.

Director Moore made a motion to move items 4-A, 4-B, 5, and 6-A to after item 7-K. The motion was seconded by Vice-President Scholl. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

6. Action Items:

B. Consider Adopting Resolution No. 2003-02 Approving the Consultant Procurement Policy and Procedure:

Mr. Meza introduced this item.

Director Moore recommended removing the words “and recommend approval” from item 4 under “Responsibility” of the Consultant Selection Policy. Vice-President Scholl asked if Legal Counsel recommends that the District adopt this policy as the Board has yet to request clarification from the Attorney General? Mr. Lowrey stated he recommends the Board adopt the policy. Vice-President Scholl commented he does not see in the flow-chart where a Committee, either Budget and Personnel, or, Projects and Planning, would review the scope of work. Director Brown asked why a policy is being recommended when CELSOC already approved a procedure? Mr. Lowrey stated that it is a conservative approach until litigation regarding CELSOC’s opinion is completed.

On motion by President Nishi, seconded by Director Moore; the Board send this item back to the Budget and Personnel Committee for additional clarifications. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

C. Consider Authorizing General Manager to Seek Attorney General Opinion on Use of Cost Data in Procuring Professional Engineering, etc. Services:

Mr. Lowrey introduced this item.

On motion by Director Brown, seconded by Vice-President Scholl; the Board direct the General Manager to write a letter to either the County Counsel, the appropriate legislator, or both. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

D. Consider Adoption of Resolution No. 2003-11 to Authorize Additional Disbursements of the Water and Sewer Construction Cost Share of Fort Ord Reuse Authority Roadway Projects:

Mr. Meza introduced this item. President Nishi inquired on the last two sentences in “Prior Committee or Board Action” on page 24. Mr. Meza explained that after the Projects and Planning Committee reviewed this transmittal on February 12<sup>th</sup>, and that there was no further need for additional disbursements for the Imjin Road Project. Director Moore requested clarification on the project budget and additional disbursements.

On motion by Director Moore, seconded by Vice-President Scholl; the Board approve Resolution No. 2003-11 and the additional disbursements toward the 12<sup>th</sup> Street Roadway Project. The motion was passed.

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

E. Consider a Response to the Monterey County Grand Jury Report on Fluoridation of Drinking Water in Monterey County:

Ms. Adlawan introduced this item. Director Moore asked what the natural levels of fluoride in the water are in Marina and Fort Ord? Ms. Adlawan stated that Marina has levels of 0.2 and Fort Ord has levels of 0.3 ppm. Ms. Vienna Moore, a public member, encouraged the Board to oppose fluoridation.

On motion by Director Moore, seconded by Director Russo; the Board respond to the Grand Jury on questions 1 and 2 “When ordered to do so by the appropriate court of law.”; and, on question 3 “An appropriate court order.”

Director Brown made a motion to soften the language to the Grand Jury by stating, “When applicable laws state to do so.” Discussion followed. Director Brown withdrew his motion. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

- F. Consider Adoption of Resolution No. 2003-12 to Approve a Minor Construction Contract with Monterey Peninsula Engineering in Support of the Sand Gilia Plant Establishment Project:

Mr. Meza introduced this item.

On motion by Vice-President Scholl, seconded by Director Moore; the Board adopt Resolution No. 2003-12 approving a minor construction contract with MPE in support of the Sand Gilia plant establishment project. The motion was passed.

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

- F. Consider Analysis to Provide a Non-Potable Temporary Construction Water Service:

Mr. Meza introduced this item. Director Moore inquired why Alternative 3 is so expensive? Mr. Meza explained the alternative brings water to Reservation Road. Director Moore asked where the location for Alternative 5 would be? Mr. Meza stated the location has yet to be determined. Director Moore asked if staff had looked into using a CSIP location along Del Monte Road? Mr. Meza stated they had not. Director Moore asked which number for Alternative 5 is correct, \$324,000 or \$391,500? Mr. Meza stated the \$324,000 was the correct number.

President Nishi made a motion to send this item back to the Projects and Planning Committee for staff to develop an Alternative 7 using the CSIP location. Director Moore seconded the motion. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

- H. Consider Adopting Resolution No. 2003-13 to Authorize New Operations and Maintenance Collection Positions of Collection System Operator I and II and Approving Job Descriptions:

Mr. Armstrong introduced this item.

On motion by Director Brown, seconded by Vice-President Scholl; the Board adopt Resolution No. 2003-13 authorizing new O & M collection positions of Collection System Operator I and II and approving job descriptions. The motion was passed.

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

I. Review Draft RFP to Retain Consultant for Classification and Compensation Study:

Mr. Armstrong introduced this item.

On motion by Director Moore, seconded by Vice-President Scholl; the Board approved the draft RFP to solicit proposals for a consultant for Classification and Compensation Study. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

J. Review and Discuss Preliminary Draft Budget and Schedule for FY 2003/2004

Mr. Prasad introduced this item. The Board asked for clarifications on the Patton School Intertie, the Desalination Back-up well, Marina Hotel/Golf Course/ Airport Development, Del Rey Oaks, Water/Sewer/Integration Plan, and Bond issuance. President Nishi requested the percentage of reserve to be provided at the Budget and Personnel Committee in March. He also requested an analysis showing the savings by paying off the debt early and/or showing the time value of money to be provided to the Budget and Personnel Committee as well as what amount of the District savings is in restricted funds.

The Board scheduled April 30, 2003 at 7:00 p.m. for a Budget Workshop.

President Nishi recessed the meeting from 8:44 until 8:49 p.m. Director Brown left the meeting at 8:45 p.m.

7. Consent Calendar:

Vice-President Scholl requested items A and G to be pulled from the consent calendar. President Nishi requested item K to be pulled from the consent calendar.

On motion by Director Moore, seconded by Vice-President Scholl; the Board approve Consent Calendar items B) Consider Approving Minutes of the Special Board Water Augmentation Workshop of January 23, 2003; C) Consider Approving Minutes of the Special Board Strategic Planning Workshop of February 5, 2003; D) Consider Approving Minutes of the Special Board Strategic Planning Workshop of February 19, 2003; E) Consider Approving Expenditures for the Month of January 2003; F) Review Quarterly Financial Statements for October 1, 2002 – December 31, 2002; H) Consider Adoption of Resolution No. 2003-14 to Approve New Contract for Capital Projects Director; I) Receive Letter on Economic Administration Development Grant for the Regional Water Augmentation Project; and J) Consider Candidate for Public Service Appointment as presented. The motion was passed.

Director Moore	-	Yes	Vice-President Scholl	-	Yes
Director Russo	-	Yes	President Nishi	-	Yes
Director Brown	-	Absent			

A. Consider Approving Minutes of the Regular Board Meeting of January 22, 2003:

Vice-President Scholl requested the minutes be corrected to show he was absent from the meeting. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

G. Consider Adoption of Resolution No. 2003-09 to Approve a Check Signing Policy:

Vice-President Scholl wanted to confirm that only checks over \$5,000 need to be co-signed by a Director.

On motion by Director Moore, seconded by Vice-President Scholl; the Board approve Resolution No. 2003-09 approving a check signing policy. President Nishi stated it was a Director's duty to sign checks. With a vote of 3-Ayes, 1-No, 1-Absent, the motion was passed.

J. Consider Adoption of Resolution No. 2003-15 Directing the General Manager to Cast Affirmative Votes for the District-Owned Parcels for the Salinas Valley Water Project Ballot Assessment:

President Nishi commented on the project.

On motion by Director Moore, seconded by Vice-President Scholl; the Board direct the General Manager to cast affirmative votes for the District-owned parcels for the Salinas Valley Water Project ballot assessment. The motion failed.

Director Moore	-	Yes	Vice-President Scholl	-	Yes
Director Russo	-	No	President Nishi	-	No
Director Brown	-	Absent			

Mr. Armstrong asked what the Board wanted to do with the ballots? Vice-President Scholl requested agendaizing this item for the next Board meeting.

The Board entered into closed session at 8:58 p.m.

4. Closed Session:

A. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Armstrong Ranch – Reserved Easements and Other Property  
Negotiating Parties: Michael Armstrong  
Under Negotiation: Price and Terms

B. Pursuant to Government Code Section 54957  
Public Employee Performance Evaluation  
Title: General Manager

The Board returned to open session at 10:10 p.m.

5. Possible Action on Closed Session Items:

Mr. Lowrey reported the Board conducted the evaluation of the General Manager, and direction was given to the negotiator with no decision being made.

Hearing no motion to adjourn, President Nishi continued the meeting.

8. Informational Items:

A. General Manager's Report:

No comments.

B. Counsel's Report

Mr. Lowrey announced the Board of Supervisors sent a letter of support to the Pajaro/Sunny Mesa Community Services District stating the County's support for that District's acquisition of the small water companies in North County previously owned by ALCO.

C. Strategic Plan Update:

Vice-President Scholl asked if everyone had done their homework for the next workshop? Everyone stated they had.

E. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Moore commented that staff and the Commission were working on an analysis looking at capital cost and life cycle cost analysis comparing real turf and artificial turf.

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:

Director Moore stated the Cities of Seaside and Marina are concerned about how large developments stay within their allocation of water.

6. MRWPCA Board Member:

Director Moore stated that Ms. Peggy Shirril was elected as Chair, and Mr. Morrie Fisher as Vice-Chair. He also suggested the District to look into purchasing defibrillator units and having employees trained to use them.

7. LAFCO:

No comments.

8. JPIA:

No comments.

F. District Correspondence:

No comments.

G. Director's Comments:

None.

9. Adjournment:

The meeting was adjourned at 10:15 p.m.

APPROVED:

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Kenneth K. Nishi, President

ATTEST:

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Michael D. Armstrong, General Manager