

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
September 24, 2003
7:00 p.m.

Minutes

1. Call to Order/Roll Call:

President Nishi called the meeting to order at 7:01 p.m. on September 24, 2003.

Board Members Present:

Ken Nishi – President
Charles Scholl – Vice-President
Tom Moore
David Brown
Ron Russo

Board Members Absent:

None.

Staff Members Present:

Mike Armstrong, General Manager
Lloyd Lowrey, Legal Counsel
Suresh Prasad, ASO Finance and Technology
David Meza, District Engineer
Richard Youngblood, Water Conservation Specialist
Paula Carina, Board Clerk

Audience:

Lizet Ceras
Peder Jorgensen, Schaaf & Wheeler
Michael Shaw, Marina Heights Developer

2. Oral Communications:

None.

3. Presentation:

- A. Consider Adoption of Resolution No. 2003-50 in Recognition of Lizet Ceras, Accounting Technician, as Employee of the Quarter for October – December 2003:

Mr. Armstrong read the narration recognizing Ms. Ceras as the Employee of the Quarter for October – December 2003.

On motion by Director Moore, seconded by Vice-President Scholl; the Board recognize Lizet Ceras as Employee of the Quarter for October – December 2003. The motion was passed.

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

President Nishi recessed the meeting from 7:04 until 7:14 p.m. for everyone to enjoy a celebratory slice of cake.

4. Action Items:

- A. Consider Approval of the August 2003 Expenditures:

On motion by Director Moore, seconded by Director Brown; the Board approve the August 2003 expenditures as provided. President Nishi inquired on check number 35323 and Director Moore inquired on check number 35267. Mr. Prasad provided response to both of the inquiries. The motion was passed.

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

- B. Receive Quarterly Financial Statements for April 1, 2003 – June 30, 2003:

President Nishi inquired as to why it took so long to prepare the quarterlies. Mr. Prasad stated that the District needed to close the books for the end of the fiscal year and prepare for the audit. President Nishi questioned the rise in engineering expenses from the previous year. Mr. Prasad answered that the engineering department was involved in more Fort Ord projects this year. President Nishi asked why the Fort Ord sewer expenses were \$47,000 higher than budgeted. Mr. Prasad stated he would look into the expenses and provide them for the next meeting. President Nishi wanted to know the as-of date for the summary on the bottom of page 23. Mr. Prasad answered it was June 30, 2003. President Nishi questioned the increase in revenues. Mr. Prasad stated part of the revenue was from grant money received. President Nishi asked to have a separate line showing grant monies. Director Moore asked about the process used to determine how much money should be held in the checking account. Mr. Prasad explained the process.

Action Items (continued):

C. Consider Adoption of Resolution No. 2003-46 to Approve the Procedures Guidelines and Design Requirements and the Standard Plans and Specifications for the Construction of Domestic Water, Sewer and Recycled Water Facilities:

Mr. Meza introduced this item and explained the handouts that were provided to the Board. Director Moore asked how frequently the District planned on updating these manuals. Mr. Meza stated the District would look at updating the manuals annually. Director Moore asked if the specs included AMR meters. Mr. Meza stated they did not as the District provides the meters. Vice-President Scholl asked how the public would know to use these manuals and if they were available for public perusal and/or purchase. Mr. Meza stated the District is in close contact with all developers and they are aware of and anxiously awaiting the manuals. Director Russo asked if there is wording in the manuals so the District is not responsible in case something was omitted from the manual or an engineering design error. Mr. Meza stated he would look into it.

On motion by Director Moore, seconded by Director Russo; the Board adopt Resolution No. 2003-46 to approve the Procedures Guidelines and Design Requirements and the Standard Plans and Specifications for the construction of domestic water, sewer and recycled water facilities, with the addition that staff write a forward to these documents that covers the issues Director Russo raised. Director Moore complimented staff on the work done to produce these documents. The motion was passed.

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

D. Consider Adoption of Resolution No. 2003-47 to Approve the Construction Inspection Procedures Manual:

Mr. Meza introduced this item. Director Moore asked that the title be augmented to include the other information provided in the document. Director Russo asked that the manual include wording that State Guidelines supercede the District's in case an item is not covered in the District manual.

On motion by Director Moore, seconded by Vice-President Scholl; the Board adopt Resolution No. 2003-47 to approve the Construction Inspection Procedures Manual, with the title to be changed to Construction Project Management and Inspection Procedures Manual. The motion was passed.

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

Action Items (continued):

E. Consider Options for the Main Booster Station Parcel:

Mr. Meza introduced this item. He explained the three options for the Board to consider. Mr. Michael Shaw, Marina Heights Developer, addressed the Board regarding the three options. Vice-President Scholl asked if the rest of the Board agreed that the Booster Station should be moved. Director Nishi stated moving the Booster Station may be included in the Ord Community Water Master Plan slated for next month. Director Moore asked Mr. Meza if the Ord Community Water Master Plan envisions moving the Booster Station. Mr. Meza stated it did. President Nishi asked the layout of the proposed reservoirs and pump stations. Discussion followed.

Director Moore proposed to have staff look into finding a way to utilize this site. For example, staff works with the developer to produce the site for affordable housing for District employees, etc. Vice-President Scholl emphasized affordable housing for teachers, police officers, etc. as well as District employees. He also stated another option could be a property swap with the developer. Discussion followed.

On motion by Director Moore, seconded by Director Brown; the Board directed staff to develop a proposal integrating the items discussed and add it to the November agenda following the Ord Community Water Master Plan item. The motion was passed.

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

President Nishi recessed the meeting from 8:42 until 8:50 p.m.

F. Review ACWA Draft Water Agency Guidelines and Provide Comments to ACWA:

Mr. Armstrong introduced this item. Director Moore commented he was impressed with the document and suggested the Board adopt it separate from the Board Procedures Manual. He asked if Section 2 was a direct quote from the Government Code and/or California Constitution, or if it is paraphrased. Director Moore stated he was not in favor of the words “in cooperation” that is mentioned in this section. Vice-President Scholl suggested removing the words “in cooperation” so the sentence reads, “...members will work with other public officials...”. Mr. Armstrong stated he would see if Section 2 was a direct quote from the Government Code and/or California Constitution, and if so, leave the words “in cooperation” in the document, otherwise he will suggest the edit to ACWA. Director Moore also stated that Section 6B item 2 was a contradiction. Vice-President Scholl suggested that when the Board updates the Board Procedures Manual, this might be a time to integrate ACWA’s guidelines where appropriate.

Action Item 4-F (continued):

On motion by Director Moore, seconded by Vice-President Scholl; the Board directs the Mr. Armstrong to forward the Board's comments to ACWA and after the document is adopted by ACWA, bring it back to the Board for consideration and direction. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

G. Consider Approval of the Draft October 2003 Newsletter:

Vice-President Scholl asked if the District was looking into adding dishwashers to the Rebate Program. President Nishi asked the section under Water Conservation clarify that there are vacancies and the District is accepting applications from interested parties. Vice-President Scholl suggested the next newsletter discuss leaking valves and encourage customers to check and repair leaking valves.

On motion by Director Moore, seconded by Director Brown; the Board approve the draft October 2003 Newsletter with the changes under Water Conservation as discussed. With a vote of 5-Ayes, 0-Noes, 0-Absent, the motion was passed.

H. Draft Agenda Items for October 2003 Board Meetings:

Director Moore reminded staff to add the additional item on the District Parcel to follow the Ord Community Water Master Plan. President Nishi asked to agendize recognition of Mr. Emmette Randle and Mr. Tim Quick for their contribution to the District committees; an item on Desal retrofit costs; and, information on the Plan Check Process.

5. Consent Calendar

Mr. Armstrong stated staff wished to pull item A (Consider Approval of First Reading of Ordinance No. 38 to Approve Proposed Revisions to Portions of Title 1, 3, 5, and 6 of the District Code). President Nishi requested to pull item E (Consider Approval of Minutes of the September 10, 2003 Board Meeting) from the consent calendar.

On motion by Director Brown, seconded by Vice-President Scholl; the Board approve the Consent Calendar consisting of items: B) Consider Adoption of Resolution No. 2003-48 to Approve a Professional Services Agreement with RBF Consulting to Provide Water System Analysis for the Residential Communities Initiative Project; C) Consider Adoption of Resolution No. 2003-49 to Approve a Construction Contract with Monterey Peninsula Engineering for the Ord Community Water System Valve Replacement Project; and, D) Consider Approval of Minutes of the August 27, 2003 Board Meeting. The motion was passed.

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

Consent Calendar (continued):

A. Consider Approval of First Reading of Ordinance No. 38 to Approve Proposed Revisions to Portions of Title 1, 3, 5 and 6 of the District Code:

Mr. Meza handed out revisions that were made to the Ordinance after the Board received their packets. He explained the changes are highlighted. President Nishi asked why the meter charges were being reduced. Mr. Armstrong gave a brief explanation. Discussion followed. The Board requested staff to look into costs and verify the reduced charges will be sufficient to cover all meter costs.

Director Brown left the meeting at 9:23 p.m.

On motion by Director Moore; seconded by Director Russo; the Board approve the First Reading of Ordinance No. 38 as amended, and schedule a Second Reading. Discussion followed. The motion was passed.

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

E. Consider Approval of Minutes of the September 10, 2003 Board Meeting:

On motion by Vice-President Scholl, seconded by Director Moore; the Board approve the minutes of September 10, 2003 with the changes showing President Nishi as an excused absence. With a vote of 3-Ayes, 0-Noes, 1-Abstained, 1-Absent, the motion was passed.

6. Informational Items:

A. General Managers Report:

Mr. Armstrong explained that he, along with Director Moore, Vice-President Scholl, Lloyd Lowrey, Curtis Weeks, MCWRA General Manger, and Special Counsel, would be meeting with the President of the CPUC the next day to reinforce the District's position and inform them that any pipeline leading to the Peninsula is more than likely going to have to go through the District's jurisdiction, including the former Fort Ord. He will also explain the District is studying water needs and wants to be involved in the dialogue.

Mr. Armstrong also explained there is a Special District Association luncheon on Friday as a pre-meeting to the October 14th dinner meeting.

Mr. Armstrong stated information was received from the CSUMB Negotiating team earlier that afternoon. He explained AB 1051 is waiting for signature by the Governor which could change the outcome of the negotiations.

Agenda Item 6-A (continued):

Mr. Armstrong stated there is an ACWA Region 5 meeting set for Monday, September 29th. He stated there is a meeting on Tuesday, September 30th between the Army, FORA, MRWPCA and the District regarding the agreement between the Army and MRWPCA. Marina City Council is holding a meeting regarding water issues Tuesday, September 30th at 6:00 p.m. and has asked Mr. Armstrong to attend. He encourages any Board members interested to attend as well. Mr. Armstrong announced a meeting scheduled for October 6, 2003 from 9 – 11 a.m. with MCWRA and FORA. President Nishi appointed himself to attend the meeting.

B. Counsel's Report:

No comments.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No comments.

2. Joint City District Committee:

Director Moore stated the Committee held a good discussion. President Nishi asked if the Committee discussed raising the 6600 Afy allowance. Director Moore stated they did and the City members were very receptive.

3. MRWPCA Board Member:

Director Moore stated he attended the meeting but there was nothing of significance to the District.

4. LAFCO Liaison:

No comment.

5. FORA:

No comments.

D. Director's Comments:

No comments.

7. Planning Workshop:

A. Groundwater Assessment:

Mr. Armstrong introduced this item. Director Moore stated he found the summary of acre feet very informative. Discussion followed.

At 10:00 p.m. President Nishi asked if any Board members wanted to make a motion to adjourn. Hearing no motion, the meeting resumed.

Among other things, the Board discussed water allocation, seawater intrusion, and water rights. Mr. Armstrong stated he would put something together for the pre-meeting with FORA and MCRWA and would run it by Mr. Lowrey and President Nishi before the meeting.

B. Board and Committee Meeting Schedules and Agendas:

Mr. Armstrong introduced this item. The Board discussed the pros and cons of holding two meetings a month. Following discussion, the Board agreed to continue with two meetings for another six months and bring back for review at that time.

C. District Discussions with Other Agencies:

Director Moore updated the Board on the Leadership meetings with MRWPCA regarding the Recycled Water Project. He explained the two agencies are at an impasse over trunkline ownership among other things. Mr. Lowrey stated MRWPCA expressed concern over not having enough input into the alternatives and the augmentation EIR process. Discussion continued. Mr. Armstrong asked what the Board's position is on ownership and operation of the project after it is built within District service areas, Marina and Fort Ord. President Nishi stated he believes the ownership should be the Districts, especially within District service areas. Director Moore questioned the scheduling of laying pipeline, and pricing. Discussion followed.

8. Adjournment:

The meeting was adjourned at 11:03 p.m.

APPROVED:

Kenneth K. Nishi, President

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ATTEST:

Michael D. Armstrong, General Manager