

## Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
November 19, 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 November 19, 2003.

#### Board Members Present:

Ken Nishi – President  
Tom Moore  
David Brown  
Ron Russo

#### Board Members Absent:

Charles Scholl – Vice-President

#### Staff Members Present:

Mike Armstrong, General Manager  
Lloyd Lowrey, Legal Counsel  
Suresh Prasad, ASO for Finance & Technology  
Connie Chavoya, ASO for Administration & Personnel  
David Meza, District Engineer  
Jade Sullivan, Project Engineer  
Jim Dowless, O&M Superintendent  
Rich Youngblood, Water Conservation Coordinator  
Evelina Adlawan, Technical Services Manager  
Paula Carina, Board Clerk

#### Audience:

Jim Brezack, RBF Consulting  
Brian Thomas, RBF Consulting  
Mike Tarazski, Mactec, Inc.  
Byron Buck, Byron Buck & Associates  
Brian Congleton, Congleton Architects  
Gail Koff, Koff & Associates  
Bob Schaffer

Peder Jorgensen, Schaaf & Wheeler  
Fred Seamon, Oases International  
Robert Campbell, Oases International  
Mike Johnston, Teamsters Union  
Tim Quick  
Kent Monroe, Congleton Architects  
Bob Enea

2. Oral Communications:

None.

3. Recognitions:

- B. Consider Adoption of Resolution No. 2003-56 in Recognition of Richard Youngblood, Water Conservation Coordinator, and Awarding a Plaque and Gift Certificate for 10 Years of Service to MCWD:

Mr. Armstrong read the narration commending Mr. Youngblood for his 10 years of dedicated service to the District.

On motion by Director Moore, seconded by Director Brown; the Board approve Resolution No. 2003-56 recognizing Mr. Youngblood for his 10 years of dedicated service to the District. The motion was passed.

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

Mr. Youngblood voiced his appreciation.

- A. Consider Adoption of Resolution No. 2003-55 in Recognition of Community Member, Mr. Tim Quick, for His Dedicated Service to the MCWD as a Public Member on the Projects and Planning Committee:

Mr. Armstrong read the narration thanking and commending Mr. Quick for his services to the District and wishing him well in future.

On motion by Director Brown, seconded by Director Moore; the Board approve Resolution No. 2003-55 recognizing Mr. Quick for his dedicated service to the MCWD as a public member on the Projects and Planning Committee. The motion was passed.

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

- C. Consider Adoption of Resolution No. 2003-57 in Recognition and Appreciation of David B. Meza, District Engineer:

Agenda Item 3-C (continued):

Mr. Armstrong read the narration thanking and commending Mr. Meza for his dedicated service to the District and wishing him well in the future.

On motion by Director Moore, seconded by Director Russo; the Board approve Resolution No. 2003-57 in recognition and appreciation of Mr. Meza for his dedicated service to the District. The motion was passed.

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

Mr. Meza voiced his appreciation and gratitude to the District.

4. Presentations:

B. Receive Presentation from Koff & Associates and Review Draft Board Transmittal to Consider Accepting District Compensation and Classification Study:

Ms. Chavoya introduced this item and Mrs. Gail Koff. Mrs. Koff presented the findings of the study to the Board.

On motion by Director Brown, seconded by Director Russo; the Board accept the District Compensation and Classification Study as presented. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

A. Receive Presentation from Staff and Congleton Architects for the Corporation Yard Master Plan; Consider Approval of Phase I Design Concept; and Provide Direction to Staff for Phase II

Mr. Sullivan introduced this item and Mr. Brian Congleton. Mr. Congleton presented the Corporation Yard Master Plan to the Board. The presentation showed the Phase I design concept and several options for Phase II. The Board asked several clarifying questions. President Nishi asked what options were available to the District in developing a portion of the property as a revenue generator. The Board requested Congleton Architects to look into other property development options, i.e. generating revenue through retail business in the area designated as the demonstration garden, or renting out business space.

President Nishi recessed the meeting from 8:20 until 8:30 p.m.

5. Action Item:

A. Consider Approving the Anticipated Schedule of Agency Actions to Contract with the California Public Employees Retirement System:

Ms. Chavoya introduced this item. Discussion followed. Mr. Armstrong stated the only action the Board needs to consider is approval of the anticipated schedule of agency actions. Director Moore asked if there could be another option for consideration other than the two proposed options of either the District buy-in; or, taking no action. He suggested a third option in which the buy-in is shared between the District and employees.

On motion by President Nishi, seconded by Director Brown; the Board approve the anticipated schedule of agency actions and directed the General Manager to meet with the two unions for discussion of option three. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

6. Review Draft Board Items:

President Nishi requested to pull items out of order to accommodate the public in attendance.

D. Review Draft Board Transmittal to Consider Staff Recommendation to Terminate Contract with Oases International to Provide the Seawater Desalination Facility Retrofit Project:

Mr. Meza introduced this item. President Nishi inquired on the amount paid to Oases International. Mr. Meza stated, to date, the District has paid \$78,400 and explained the deliverables received from Oases.

Director Brown left the meeting at 8:50 p.m.

President Nishi asked if someone else could complete phase two of the retrofit. Mr. Meza stated he did not believe so. Director Moore asked why staff recommends termination of the contract. Mr. Meza explained there were several issues. Director Moore asked legal counsel if the District could terminate the contract without any consequences. Mr. Lowrey stated there was a clear clause in the contract allowing the District to do so.

Mr. Bob Campbell, Oases International, stated phase one of the retrofit was completed and the District still owes Oases for what was delivered. He also stated that Oases is prepared to proceed with phase two immediately and explained the benefits of doing so. Discussion followed.

Agenda Item 6-D (continued):

President Nishi appointed Director Russo and himself as an ad hoc committee of the Board to meet with District staff and Oases personnel and requested the General Manager to set up a meeting before the December 10, 2003 Board meeting.

- G. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2003-xx to Approve Amendment No. 1 to the Professional Services Agreement with Denise Duffy & Associates for the Regional Urban Water Augmentation Project:

Mr. Meza introduced this item. Director Moore asked if approving this amendment puts the District over budget, and what budget line item will be put on hold to cover this item. Mr. Armstrong explained that the District is preparing to request additional grant funds from EDA to cover these additional expenses. At this time, the District is not over budget, but is using funds that were earmarked for other expenses in the scope of work. President Nishi asked why this was before the Board as staff had already approved the additional work. Discussion followed.

- H. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2003-xx to Approve Amendment No. 3 of the Professional Services Agreement with RBF Consulting to Complete the Engineering Basis of Design for the Regional Urban Recycled Water Project:

Mr. Meza introduced this item. Director Moore asked for clarification on the amount proposed by RBF Consulting and the amount staff is requesting. Mr. Meza clarified that MCWD and MRWPCA staffs reviewed the proposal and recommend a lesser amount than what RBF requested. President Nishi asked if the system optimization was in the original scope of work. Mr. Brezack, RBF Consulting, stated the original scope of work did not include system optimization. This additional work was generated from the joint cooperation with MRWPCA that resulted in subsequent new direction, modifications and exploration of additional concepts for the study. Discussion followed. Mr. Armstrong explained that at the time this project was scoped and agreed to, no one understood that we would end up working so closely with the MRWPCA and producing a joint document. In order to satisfy the needs of the two agencies, additional work was required. President Nishi voiced his concern that the project was costing twice the original approved amount.

- I. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2003-xx to Approve a Professional Services Agreement with MACTEC Engineering and Consulting, Inc. for the Deep Aquifer Monitoring Well and to Amend the FY 2002/2003 and the FY 2003/2004 Budgets:

Agenda Item 6-I (continued):

Mr. Meza introduced this item. He explained the District is continuing to negotiate the scope of work with MACTEC, Inc. and that under section 4.0, Article II, Document Ownership and Use of the proposed scope of work, the first sentence will either be deleted or modified to allow the District to share information without consent from the consultant. Director Moore asked for the transmittal to show the grant amount; status of the request to MCWRA to split the District's share of the grant; and, to clarify the Funding Source/Recap explaining the contingency amount and its origin. President Nishi voiced his concern over approving a contract where only one consultant submitted a proposal. Mr. Meza stated the District worked with MCWRA in considering qualified companies to do this work. Of the three companies that received RFP's, two declined. MCWRA has worked with MACTEC, Inc. on many occasions and is satisfied with their work. President Nishi requested staff to provide bid responses from RFP's that MCWRA sent out on various projects in which MACTEC was successful in bidding on.

M. Review Draft Board Transmittal to Consider Accepting the Ord Community Water Master Plan:

Mr. Meza introduced this item. Mr. Brezack gave a brief overview of the Ord Community Water Master Plan.

President Nishi noted it was 10:00 p.m. and asked for a motion to adjourn. Hearing none, the meeting was continued.

Mr. Bob Enea inquired on the layout of a proposed pipeline. Mr. Peder Jorgensen inquired on moving water through different pressure zones. Discussion followed. Mr. Armstrong suggested RBF and Schaaf & Wheeler meet with District staff to discuss this issue in more detail. President Nishi stated he welcomed and encouraged input from public. Mr. Jorgensen asked when the draft master plan would be available to the public. Mr. Armstrong stated that staff just received the master plan and had yet to review it, but had no problem providing Schaaf & Wheeler with a draft copy. President Nishi inquired about an intertie between the two systems. He asked if other affected agencies had input in this master plan. Mr. Brezack stated they had input in the Urban Water Management Plan identifying their developments, locations and anticipated years they would be coming on line. Mr. Meza added the different jurisdictions participated in the Water/Wastwater Oversight Committee and are aware of this master plan.

N. Review Draft Board Transmittal to Consider Approval of the Draft Water Supply Assessment and Written Verification of Supply for the Marina Heights Development:

Mr. Meza introduced this item and Mr. Byron Buck. Mr. Buck gave a brief overview of the need and requirements of a Water Supply Assessment.

Agenda Item 6-N (continued):

Mr. Buck stated there were edits on pages 13 and 16 of the Draft Water Supply Assessment and Written Verification of Supply for the Marina Heights Development. President Nishi questioned the demand factors used; and, if the 1,175, AFY allotted for Marina included desalinated or reclaimed water. Discussion followed. Mr. Schaefer asked who controls the allocation of water. Mr. Lowrey stated that the land use jurisdictions allocate water, subject to the requirements of applicable state laws and agreements.

President Nishi recessed the meeting from 10:48 until 10:53.

- C. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2003-xx to Update Authorized Signatures for the LAIF Account:

President Nishi voiced his concern over having the ASO of Finance and Technology as a signatory.

- A. Review Draft Board Transmittal to Consider Approval of the October 2003 Expenditures:

President Nishi inquired on checks 35657 and 35607 and asked to have the number and sizes of the meters purchased in the description.

- J. Review Draft Board Transmittal to Receive Staff Report for the Seawater Desalination Facility 300 HP Motor:

Mr. Meza gave an update of the response from Ionics. President Nishi inquired on motor costs.

Mr. Armstrong stated Item 6-K would need to be addressed at the next meeting as there was some urgency to this item.

The Board entered into closed session at 11:05

9. Closed Session:

- A. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9  
1 Case

The Board returned to open session at 11:35 p.m. and reported that no action was taken during closed session.

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10. Adjournment:

The meeting was adjourned at 11:35 p.m.

APPROVED:

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Charles H. Scholl, President                      Date

ATTEST:

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Michael D. Armstrong, General Manager