

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Special Board Meeting
April 14, 2004
7:00 p.m.

Minutes

1. Call to Order/Roll Call:

President Scholl called the meeting to order at 7:01 p.m. on April 14, 2004.

Board Members Present:

Charles Scholl – President
Tom Moore – Vice-President – arrived at 7:04 p.m.
Ken Nishi
Dan O'Brien

Board Members Absent:

David Brown

Staff Members Present:

Mike Armstrong, General Manager
Lloyd Lowrey, Legal Counsel
Rich Youngblood, Water Conservation Specialist
Jade Sullivan, Project Engineer
Marc Lucca, District Engineer
Jim Dowless, O&M Superintendent
Suresh Prasad, ASO Finance and Technology
Paula Carina, Executive Assistant/Board Clerk

Audience:

Larry Gallery, RBF Consulting
Simon Whitmey
Bob Schaffer
Bill Lovvorn

Mike Taraszki
Brian Congleton
Kathy Panzetta
Susan Kiefert

Tony Kelsey
Cynthia Buhl
Tim Buhl

2. Oral Communications:

Director Nishi commented that he and President Scholl had asked to have an item on the agenda regarding the legality of rescinding the Will Serve letter. He also commented that he was concerned over holding desalination plant tours when the plant is not currently running and having the General Manager go to Santa Barbara to speak about the plant.

3. Presentation:

- A. Presentation of Olson Elementary School PTA Founder's Day Award for the District's Water Education Program:

Mr. Youngblood introduced this item. Ms. Kathy Panzetta, PTA President of Olsen Elementary School, presented the Board with the Founder's Day Award for the District's Water Education Program. President Scholl accepted the award on behalf of the Board.

- B. Consider Adoption of Resolution No. 2004-21 in Recognition of Mr. Tim Buhl for Obtaining a Grade II Certification in Water Treatment:

Mr. Armstrong read the narration on this item.

On motion by Vice-President Moore, seconded by Director O'Brien; the Board adopt Resolution No. 2004-21 in recognition of Mr. Tim Buhl. The motion was passed.

| | | | | | |
|------------------|---|--------|----------------------|---|-----|
| Director O'Brien | - | Yes | Vice-President Moore | - | Yes |
| Director Brown | - | Absent | President Scholl | - | Yes |
| Director Nishi | - | Yes | | | |

- C. Consider Adoption of Resolution No.-2004-22 in Recognition of Tony Kelsey, System Operator II, as Employee of the Quarter for April – June 2004:

Mr. Armstrong read the narration on this item.

On motion by Vice-President Moore, seconded by Director O'Brien; the Board adopt Resolution No. 2004-22 in recognition of Mr. Tony Kelsey as the Employee of the Quarter for April – June 2004. The motion was passed.

| | | | | | |
|------------------|---|--------|----------------------|---|-----|
| Director O'Brien | - | Yes | Vice-President Moore | - | Yes |
| Director Brown | - | Absent | President Scholl | - | Yes |
| Director Nishi | - | Yes | | | |

President Scholl recessed the meeting from 7:11 until 7:17 p.m.

4. Review Draft Board Items:

- A. Receive Presentation and Review Draft Board Transmittal to Consider Approval of Preferred Building Materials for the Corporation Yard Master Plan:

Mr. Sullivan introduced this item and then turned the presentation over to Mr. Brian Congleton.

Agenda Item 4-A (continued):

Mr. Congleton provided samples of roofing and wall material for consideration by the Board. Vice-President Moore asked if Mr. Congleton knew what the total cost would be using the materials shown to the Board. Mr. Congleton stated he would put those numbers together for the next meeting. Vice-President Moore asked if the wall panels were earthquake proof. Mr. Congleton answered that the building structure which holds the wall panels is built to withstand earthquakes. Director O'Brien inquired on the corrosion with the wall panels and asked if aluminum is better than steel. Mr. Congleton stated he had spoken with Salinas Steel Builders and they said there was no difference one way or the other. He also stated aluminum corrodes differently than steel but they both corrode. Mr. Sullivan asked for Board direction on building material selection.

On motion by Vice-President Moore, seconded by Director O'Brien; the Board approve the material selection provided to include the faux slate. Director Nishi voiced his concerns over approving material selection at this meeting without knowing the price for the materials. President Scholl asked if Vice-President Moore wanted to withdraw his motion. Vice-President Moore stated he would but the motion was not to approve the project, just the materials. Mr. Congleton stated he was looking for direction from the Board on what materials to use. President Scholl asked for consensus from the Board on the materials provided and the Board agreed. President Scholl added that due to Director Nishi's comments, Mr. Congleton should consider approaching the Marina Design/Review Board to see if the materials are acceptable. Mr. Congleton stated he would do so.

B. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2004-xx to Approve a Professional Services Agreement with MACTEC Engineering and Consulting, Inc. for the Deep Aquifer Monitoring Well Project:

Mr. Sullivan introduced this item. Director O'Brien asked where the monitoring well would be located. Mr. Sullivan stated it was in the area of the Marina Airport. Director O'Brien voiced his concern over drilling through the TCE plume. Mr. Taraszki stated he did not believe there would be a problem with TCE where they are planning to drill. He also explained how the wells are sealed to avoid cross-contamination. Discussion followed. Director Nishi asked how staff was able to negotiate the bid down \$60,000 from the previous proposal. Mr. Sullivan explained the changes. Director Nishi asked for a copy of the document showing the changes in the bid. President Scholl asked how many deep aquifer wells within the District. Mr. Armstrong stated that there was a deep aquifer monitoring well in the District's backyard and that other wells in the deep aquifer can also provide data. President Scholl asked what information the District is looking for with this project. Mr. Armstrong stated the primary interest is in yield followed by quality. Mr. Lowrey commented that documents provided to the Board become public documents and that staff paperwork is merely working documents and not for public inspection.

Agenda Item 4-B (continued):

President Scholl requested to have the transmittal show the changes and how much it will cost for staff to do the work instead. Director Nishi voiced his concern over drilling a million dollar well when the District is only allowed to pump a set amount of acre-feet per year. Mr. Lowrey stated the agreements between the District, the Monterey County Water Resources Agency and the City of Marina allow a certain amount of water to be pumped per year from the 180', 400' and deep aquifers. Director O'Brien asked if the monitoring well could be turned into a production well at a later date. Mr. Taraszki stated the diameter of the well is too small for a production well. President Scholl asked that the transmittal show additional information as requested by Director Nishi and Mr. Lowrey to answer the practicality of drilling more deep wells beyond what the District currently has.

- C. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2004-xx to Approve Amendment No. 2 to the Professional Services Agreement with Winzler & Kelly Consulting Engineers to Provide Additional Wastewater Collection System Conceptual Planning for the Proposed East Garrison Development Project and Amending the FY 2003/2004 Budget:

Mr. Sullivan introduced this item. Vice-President Moore asked how much the East Garrison partners will pay toward the \$58,000. Mr. Sullivan stated the amount needed to be negotiated with the East Garrison partners. Vice-President Moore asked how the amount owed would be tracked with who paid and how much. Mr. Sullivan stated that the engineering department will set up a program through the project file to track what is paid and how much. Director Nishi asked why the District can't make the developer pay up front. Discussion followed. Director Nishi stated that as more developments come about, the District cannot carry the burden of paying for the reports and waiting to negotiate the price with the developers. Mr. Sullivan stated there is a procedure in place where the District would not have to pay and wait for negotiations. He also stated the transmittal will show an understanding of what percentage is expected to be paid by the developer.

- D. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2004-xx to Approve a Design/Build Agreement with Kaweah Construction Co. for the Marina Disinfection Replacement Project:

Mr. Lucca introduced this item and Mr. John Lontsberg, Kaweah Construction Co., and Ms. Elizabeth Hershorn, Winzler & Kelly Consultants. Vice-President Moore asked the amount of the last cost estimate. Mr. Sullivan stated it was approximately \$660,000. Director Nishi asked how much brine would need to be displaced. Mr. Lucca answered there would be no brine discharge with the chlorination generation. Mr. Sullivan stated the brine discharge fees result from the water softening system. President Scholl asked if potassium could be used in the water softener.

Agenda Item 4-D (continued):

President Scholl requested staff to look into alternatives with the water softening system and bring that information back to the next meeting.

- F. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2004-xx to Authorize Purchase of Two Ford F-250 Trucks and One Reconditioned Fork Lift:

Mr. Dowless introduced this item. The Board had no questions or comments.

President Scholl recessed the meeting from 8:50 until 8:55 p.m. The Board entered into closed session at 8:55 p.m.

7. Closed Session:

- B. Pursuant to Government Code Section 54957.6
Conference with Labor Negotiator
Agency Negotiator: William Avery & Associates
Employee Organizations: Teamsters Local 890 and SEIU Local 817

The Board returned to open session at 9:47 p.m.

President Scholl reported direction was given to the negotiator.

4. Review Draft Board Items:

- E. Review Draft Board Transmittal to Consider Analysis of Options for Ord Community Cost Centers Loans:

Mr. Prasad introduced this item. Vice-President Moore stated he supported Option 3. Director Nishi inquired on the interest rates and points. Vice-President Moore requested to put Option 3 on the consent calendar. President Scholl requested to have this as an action item on the April 28, 2004 agenda for further discussion.

5. Staff Reports:

- A. Highway One – 24 Inch Diameter Sewer Main Project:

Mr. Lucca explained the results of the sewer line inspections. He stated that staff will bring this item back to the Board for action once conclusions are reached on the best solution for the sewer line corrosion problem.

At 10:00 p.m. President Scholl asked if any Board members wanted to make a motion to adjourn. Hearing none, the meeting continued. Discussion on the sewer line corrosion followed.

B. Bayer Tank Structural/Operational Improvements Project:

Mr. Sullivan introduced this item and gave a brief update on the status of the Bayer Tank inspection schedule.

4. Review Draft Board Items:

H. Review Draft Board Transmittal to Consider Revised Budget Schedule for FY 2004-2005:

Mr. Prasad introduced this item. The Board had no questions or comments for Mr. Prasad.

L. Review Draft Board Transmittal to Consider Approval of March 2004 Expenditures:

The Board had no questions or comments on this item.

J. Review Draft Board Transmittal to Consider the Purpose and Duties of the Executive Committee:

President Scholl explained the duties of the Executive Committee and suggested revising the language of the duties to read, "...the flow of information, etc. and any specific items as directed by the Board." Discussion followed. Director Nishi requested a copy of the agenda and minutes of the last Executive Committee. Following discussion, President Scholl requested this item be placed on the April 28, 2004 agenda with the duties of the Executive Committee to read as follows:

"This newly proposed committee will meet at least quarterly or more frequently on an as needed basis to discuss topics of a general nature with the GM. These meetings will be to exchange ideas and perspectives regarding the flow of information, and other matters, and any specific items as directed by the Board."

O. Review Draft Board Transmittal to Consider Approval of Minutes of the Regular Board Meeting of March 24, 2004:

The Board had no questions or comments on this item. President Scholl requested this item to be placed on the consent agenda for April 28, 2004.

N. Review Draft Board Transmittal to Consider Approval of Minutes of the Regular Board Meeting of March 10, 2004:

The Board had no questions or comments on this item. President Scholl requested this item to be placed on the consent agenda for April 28, 2004.

M. Review Draft Board Transmittal to Consider Approval of Minutes of the Special Board Meeting of March 3, 2004:

The Board had no questions or comments on this item. President Scholl requested this item to be placed on the consent agenda for April 28, 2004.

I. Review Draft Board Transmittal to Consider Board Meeting Schedule to Two Board Meetings a Month:

President Scholl stated he believed the two meetings a month provided good information for all the Directors, but when Directors leave early, things don't get done and the item list continues to grow. Vice-President Moore agreed. Director O'Brien stated he liked the opportunity that two meetings per month allowed for questions and comments. President Scholl suggested bringing this item to the April 28, 2004 meeting to consider continuing the current schedule for three more months and revisit the schedule at that time.

6. Appoint Agency Designated Representatives as Labor Negotiators:

On motion by Vice-President Moore, seconded by Director O'Brien; the Board appoint the Board President and Vice-President as the labor negotiators regarding the unrepresented employee. With a vote of 4-Ayes, 0-Noes, 1-Absent, the motion was passed.

G. Review Draft Board Transmittal to Consider District Governance Alternatives and Provide Direction to Staff:

Mr. Armstrong informed the Board that the District received a letter from the Marina City Manager that evening, requesting that the Board delay providing direction on this item until Mr. Altfeld has an opportunity to discuss this with the Marina City Council and at the Joint City District meeting. Mr. Armstrong stated the Board needed to decide if the District should initiate an action with LAFCO regarding annexation; and, which Governance model to pursue. Vice-President Moore asked if at large elections would require a pre-clearance from the Department of Justice. Discussion followed. Mr. Lowrey stated he would provide a memo to the Board with more information on pre-clearance. Vice-President Moore suggested getting a political consultant to explain the pros and cons of the three options. Discussion regarding the LAFCO process followed.

Agenda Item 4-G (continued):

Mr. Armstrong suggested bringing this item back at a later date with more information regarding pre-clearance and possibly having someone present to speak about the LAFCO process.

K. Review Draft Board Transmittal to Consider the List of Possible Planning Workshop Agenda Items and Provide Direction to Staff:

Mr. Armstrong introduced this item. The Board asked for an update on litigation within the Salinas Valley. Director Nishi asked to add reclaimed water to the list of Planning Workshop Agenda Items to allow discussion on connecting to the regional plant, reservoir construction, and giving direction to the MRWPCA/MCWD Leadership Committee regarding the Urban Reclaimed Water Project.

President Scholl reviewed the agenda items and asked to have items B, C, D, F, H, I, L, M, N, and O placed on the Consent Calendar for the April 28, 2004 Board meeting. Items E, and J will be placed as Action Items.

The Board entered into closed session at 11:15 p.m.

7. Closed Session:

- C. Pursuant to Government Code Section 54957.6
Conference with Labor Negotiators
Agency Designated Representatives: Charles Scholl and Tom Moore
Unrepresented Employee: General Manager

The Board returned to open session at 11:25 p.m.

8. Possible Action on Closed Session Items:

Mr. Lowrey reported direction was given to the negotiators and no action was taken in closed session.

9. Adjournment:

The meeting was adjourned at 11:25 p.m.

Regular Board Meeting
April 14, 2004
Page 9

APPROVED:

Charles H. Scholl, President Date

ATTEST:

Michael D. Armstrong, General Manager