

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
September 22, 2004
7:00 p.m.

Minutes

1. Call to Order:

Vice-President Moore called the meeting to order at 7:01 p.m. on September 22, 2004.

Board Members Present:

Tom Moore – Vice-President
Ken Nishi
David Brown
Dan O'Brien

Board Members Absent:

Charles Scholl – President

Staff Members Present:

Mike Armstrong, General Manager
Lloyd Lowrey, Legal Counsel
Marc Lucca, District Engineer
Richard Youngblood, Water Conservation Specialist
Paula Carina, Executive Assistant/Board Clerk

Audience:

Howard Gustafson
Bob Shaffer
Sid Williams
Bill McGrath
Gary Wiggin
Paula Pelot

2. Oral Communications:

None.

3. Action Items:

- A. Consider Second Reading of Ordinance No. 39 Approving Developer Payment for Water Supply Assessments and Water Supply Verifications:

Mr. Armstrong introduced this item.

On motion by Director Brown, seconded by Director O'Brien; the Board approve the second reading of Ordinance No. 39. The motion was passed.

Director O'Brien	-	Yes	Vice-President Moore	-	Yes
Director Brown	-	Yes	President Scholl	-	Absent
Director Nishi	-	No			

- B. Consider Adoption of Resolution No. 2004-50 to Approve a Professional Services Agreement with Alamar Construction Inc. for Construction Management and Inspection Services:

Mr. Lucca introduced this item. Director Nishi inquired on the length of the contract. Mr. Lucca stated it was for one year with a one year option to renew.

On motion by Director O'Brien, seconded by Director Brown; the Board approve Resolution No. 2004-50 approving a Professional Services Agreement with Alamar Construction Inc. The motion was passed.

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

- C. Consider Adoption of Resolution No. 2004-51 to Approve Acceptance of Infrastructure Projects Completed by the Fort Ord Reuse Authority with EDA Funding Assistance:

Mr. Armstrong introduced this item.

On motion by Vice-President Moore, seconded by Director Brown; the Board approve Resolution No. 2004-51 approving acceptance of infrastructure projects completed by the Fort Ord Reuse Authority with EDA funding assistance. The motion was passed.

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

Mr. Armstrong informed the Board that Ms. Aldridge called to say she would arrive at approximately 8:30 p.m. for the closed session.

D. Consider Adoption of Resolution No. 2004-52 to Approve the Water Conservation Specialist Job Description, Amend the FY 2004-2005 Budget, and Direct the General Manager to Recruit and Fill the Position:

Mr. Youngblood introduced this item. Director O'Brien commented that the WCC was unanimous that the one way to save and reduce water is through conservation. Director Nishi voiced his concerns over moving money from the Water Conservation Rebate Program to fund this position.

On motion by Director O'Brien, seconded by Director Brown; the Board approve Resolution No. 2004-52 approving the Water Conservation Specialist job description, amending the FY 2004-2005 budget and directing the General Manager to recruit and fill the position. Mr. Armstrong clarified that items brought before the Board are not always in the budget and staff may bring them before the Board with recommendations with the management team looking for funding where it can be found. This position could be funded from reserves but staff decided to recommend moving the funds from the rebate program.

Vice-President Moore voiced his concerns that he has yet to see that the District is getting its money's worth from these projects. He stated that President Scholl had voiced his own concern regarding this issue before he left town. Vice-President Moore said that he is not sure this should be a permanent position as there may not be enough work in the future to warrant two water conservation positions. He stated that he could support a two-year term position to be reevaluated at the end of that time frame. Vice-President Moore also stated that he would like to see one of the duties of this position to be leak detection in the District's infrastructure. Mr. Lucca clarified that one of the many duties of the Water Conservation Specialist is leak detection. He also explained that he could support a term position, but with the growth of the Ord Community, this position could grow into a full time position as there will be more complicated and complex customers i.e. CSUMB, and this will become a part of ongoing management of MCWD's water conservation and system operations. Vice-President Moore inquired on additional water conservation staff. Mr. Youngblood stated that there is no additional staff at this time, but the Water Conservation Feasibility Study recommended two additional staff members in the conservation department. Vice-President Moore stated he would like to see the job description tightened up, this position listed as a limited-term position, and evidence of pay back.

Director Nishi stated that by approving the budget, the position was approved and if anyone had any reservations on this position, it should have been brought up at that time.

Agenda Item 3-D (continued):

Director O'Brien stated that he could support a limited-term position and noted that other agencies have several water conservation employees who are extremely busy. He also stated that if there is a water shortage or emergency in the future, it would be easier for the District to ask customers to save water if the District has been proactive in water conservation all along.

Director Brown agreed that a limited-term position is not unreasonable.

Mr. Williams stated that he can understand the reluctance to add head count to an organization but that by approving the budget the Board approved the position. He added that a conservation specialist is needed short term to develop programs and long term to implement those programs when the developments occur and a short term position may be difficult to fill.

Ms. Pelot agreed with Mr. Williams and added that a short term position may be difficult to fill.

Mr. Lucca stated that a short term position can be challenging to fill but not impossible.

Mr. Gustafson suggested seeing if there was a way to incorporate fees from developments to pay for the position.

On motion by Director O'Brien, seconded by Director Brown; Director O'Brien amended his original motion to include a term of four years and to revisit the situation at a later date after the position has been established and assess the needs at that time. The amended motion was passed.

Director O'Brien	-	Yes	Vice-President Moore	-	Yes
Director Brown	-	Yes	President Scholl	-	Absent
Director Nishi	-	No			

4. Closed Session:

This item was postponed until later in the meeting.

5. Possible Action on Closed Session Items:

This item was postponed until later in the meeting.

6. Consent Calendar:

On motion by Director Brown, seconded by Director O'Brien; the Board approve the consent calendar consisting of items A) Consider Approving Expenditures for the Month of August 2004; B) Receive the Quarterly Financial Statements for April 1, 2004 – June 30, 2004; C) Consider Approval of the Draft Minutes of the Regular Board Meeting of July 28, 2004; D) Consider Approval of the Draft Minutes of the Regular Board Meeting of August 11, 2004; E) Consider Approval of the Draft Minutes of the Regular Board Meeting of August 25, 2004; and, F) Consider Adoption of Resolution No. 2004-53 to Approve Amendment No. 1 for Byron Buck & Associates to Complete the Urban Water Management Plan Update. The motion was passed.

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

7. Informational Items:

A. General Manager's Report:

Mr. Armstrong informed the Board on the progress of the Ord Community Workshop meeting. He explained that he had received comments on the letter to be mailed to the customers and that the Bridge Club has two evenings available: November 1st and November 4th. Mr. Armstrong stated that everything was ready to go as soon as the Board selects a date. Discussion followed. The Board suggested holding the meeting on November 4th or the first available Saturday morning in November.

Mr. Armstrong informed the Board that Mr. Rob Saperstein, Hatch and Parent, will be present at the October 27, 2004 Board meeting to discuss CSUMB issues. He also reminded the Board that staff will be meeting with the City of Marina and CSUMB on corporation yard sites.

B. Counsel's Report:

Mr. Lowrey stated there was nothing to report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Nishi asked how many members were on the Commission. Mr. Youngblood stated there were five.

2. Joint City-District Committee:

Mr. Armstrong stated that the meeting deviated from the standard agenda and discussed specific issues that the members had requested for this meeting agenda.

3. MRWPCA Board Member:

Vice-President Moore stated that he would attend in President Scholl's absence.

4. LAFCO Liaison:

No comments.

5. JPIA Liaison:

Vice-President Moore stated there was a meeting upcoming in December.

6. SDA Liaison:

No comments.

7. FORA:

Director Brown stated there has not been a meeting since the last Board meeting.

8. Executive Committee:

No comments.

9. Community Outreach:

No comments.

D. Director's Comments:

Director Nishi commented that Board packets and Weekly Updates should be provided to all candidates running for the MCWD Board. He also stated that the Strategic Plan should be the responsibility of the Board President to organize what he wants to accomplish that year. Director Nishi would like to see an item on the next agenda to commit to Pajaro/Sunny Mesa the same as the District did with MCWRA and Cal Am. He then voiced his concern that he is not aware of the Board giving direction to negotiators.

8. Planning Workshop:

A. Start Time for Regular and Special Meetings of the Board of Directors:

Vice-President Moore suggested starting the meetings at 6:30 p.m. Director Brown stated that 6:30 p.m. may be too early for people who work out of town. Director O'Brien stated that the starting time doesn't matter; it is the ending time that is the problem. Vice-President Moore added that time management is a problem and all Board members should be more proactive in managing the agenda and watching the time. Director Nishi commented the Board is here to get business done for the District and that should be the first priority. He also commented that he doesn't see any commitment from the Board members. Vice-President Moore stated that there was commitment amongst the current directors and the Board needs to recognize the varying schedules of the various Board members. He also stated that the Board may not make the best decisions at 11:00 p.m. so staying late to finish a meeting may not be in the best interest of the District. Director Nishi stated that if business cannot be completed by 10:00 p.m., the meeting could be continued to another night to get the business done. Director Brown commented on the need to support the President in running meetings.

B. MCWD Role in a Future Regional Desalination Water Project:

Mr. Armstrong introduced this item. He commented on the various desalination projects the District's is keeping track of. Mr. Armstrong stated that he and President Scholl met with counterparts from MPWMD regarding regional desalination issues. He also stated that Mr. Marc Del Piero, Pajaro/Sunny Mesa, contacted him and wishes to schedule a meeting to discuss cooperating and/or partnering with them on their desalination project.

Mr. Gustafson asked if he could comment on item 8-A. Vice-President Moore asked for his comments. Mr. Gustafson suggested starting the meeting at 6:30 p.m. to allow for holdover and also commented that he didn't see an issue with it being too early for commuters. Discussion followed.

On item 8-B, Director Nishi commented that the District should make a commitment to Pajaro/Sunny Mesa the same as they did with Cal Am. Mr. Armstrong stated that the District has not made a commitment to any agency. The District only stated that 2,400 afy is needed for future development in the Ord Community. Mr. Lowrey stated that recent discussions have been towards a regional project, not just a project for the Peninsula, and to include agencies that provide water i.e. MCWD, in the project. Previously, the District met with the CPUC to urge that the County be the lead agency although the CPUC has shown an interest in being the lead agency. Director O'Brien suggested amending the Regional Water Augmentation Report to show what direction the MCWD is leaning. Mr. Armstrong answered that the Regional Water Augmentation Report is looking at projects that the District would be in control of, but the District needs to keep an eye on projects by other agencies. Discussion followed.

Agenda Item 8-B (continued):

Vice-President Moore commented that there is a third alternative which includes expanding the District's current desalination plant. He also questioned if the District could produce less expensive desalinated water than Cal Am.

Mr. Gustafson suggested the District work with Pajaro/Sunny Mesa and not with MPWMD, Cal Am or Monterey County. He also suggested looking at the District's own desalination plant and the possibility of supplying desalinated water to the Peninsula.

Mr. Williams asked if the District was looking to be a customer or a partner. If the District was a partner maybe the rates to the District would be lower. Director Nishi stated that he would like the District as a partner and not a customer.

Vice-President Moore recessed the meeting from 8:40 until 8:47 p.m.

The Board entered into closed session at 8:47 p.m.

4. Closed Session:

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

The Board returned to open session at 9:09 p.m.

5. Possible Action on Closed Session Items:

- A. Consider Adoption of Resolution No. 2004-47 to Approve the Memorandum of Understanding between SEIU local 817 and the Marina Coast Water District:

On motion by Director Nishi, seconded by Director O'Brien; the Board approve the Memorandum of Understanding between SEIU local 817 and the Marina Coast Water District. The motion was passed.

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

