

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
September 14, 2005
7:00 p.m.

Minutes

1. Call to Order:

President Moore called the meeting to order at 7:00 p.m. on September 14, 2005.

Board Members Present:

Tom Moore – President
David Brown – Vice President
Ken Nishi
Charles Scholl
Howard Gustafson

Board Members Absent:

None

Staff Members Present:

Marc Lucca, Deputy General Manager/District Engineer
Lloyd Lowrey, Legal Counsel
Suresh Prasad, Director of Finance
Rich Youngblood, Conservation Coordinator

Audience:

Bob Schaffer, Marina Community Partners
Michael Shaw, Cypress Knolls
Tom Buell, MRWPCA
Lelanie Humble, Denise Duffy & Associates
Christopher Luffman

2. Oral Communications:

None.

3. Action Item:

- A. Consider Receiving Draft Initial Study/Negative Declaration for the Marina Station Property Annexation and Directing Staff to Release the Document for a 30-Day Public Review Period:

Agenda Item 3-A (continued):

Ms. Lelanie Humble, Denise Duffy & Associates, presented this item to the Board.

Director Nishi stated the map on page 8 of the packet was dark and it was hard to see the boundaries. He also asked if the Hazards and Hazardous Materials section of the Negative Declaration address the TCE plume. Ms. Humble answered that would be addressed at a later date. Mr. Marc Lucca, Deputy General Manager/District Engineer, clarified that this document was only to annex the Marina Station property and it transfers all of the effects to the developer who would address the TCE plume in their EIR.

Vice President Brown referred to map on page 7 and asked why the City of Seaside is not depicted. Ms. Humble answered it was an oversight as the map was from an old database and it would be corrected.

Director Gustafson made a motion to receive the draft initial study/negative declaration for the Marina Station property annexation and directed staff to release the document to begin a 30-day public review period. Director Scholl seconded the motion. President Moore commented on annexation of Marina Station. The motion passed.

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

4. Review Draft Board Items:

- A. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2005-xx to Approve Amendment No. 2 for Byron Buck & Associates to Complete the 2005 Urban Water Management Plan:

Mr. Lucca introduced this item. Director Nishi asked if Mr. Buck did not have "submission to the CA Department of Water Resources" included his first proposal. Mr. Lucca answered that he did not believe it was included but would confirm with Mr. Buck before the next meeting. Director Nishi asked to see the original cost, the cost of Amendment No. 1 and Amendment No. 2. of Mr. Buck's contract. President Moore asked Mr. Lucca to provide a summary of the three costs at the next meeting. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- B. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2005-xx to Approve a Prepaid Wastewater Rights Memorandum of Agreement Among the Department of the Army, the Monterey Regional Water Pollution Control Agency, the Fort Ord Reuse Authority, and the Marina Coast Water District::

Agenda Item 4-B (continued):

Mr. Lloyd Lowrey, Legal Counsel, introduced this item and gave a brief background on the previous agreements between the agencies. Director Nishi asked who was on the negotiating committee for the District. Mr. Lowrey answered that he and Mike Armstrong were on the negotiating committee representing the District. Director Nishi stated he had concerns that the Board never gave direction to the negotiating committee and that the Board is receiving the final draft of the MOA without giving any direction. He also voiced his concern over discussing this in open session as opposed to closed session. President Moore asked Mr. Lowrey if this item could be discussed in closed session. Mr. Lowrey answered that it could as it pertained to water rights which are property rights for the District. Discussion followed. The Board concurred to discuss this item in closed session at the September 28, 2005 Board meeting.

C. Review Draft Board Transmittal to Consider Approval of the Draft October 2005 Newsletter:

Mr. Richard Youngblood, Conservation Coordinator, introduced this item. Director Scholl commented that the article on ETo controllers is displayed with a picture of a sprinkler head. He would like to see a picture or drawing of an ETo controller to go with the article. Director Scholl stated the article on the Conservation Ordinance was poorly written. He also suggested the article on the Water Conservation Commission (WCC) opening be rewritten to grab the reader's attention which might generate more interest and get residents to apply for the WCC opening. President Moore suggested adding "...check your irrigation system *and plumbing fixtures* and make the necessary adjustments." to the Bayer Tank article on the first page. He added the second paragraph in the article only talks about the benefit to Marina residents and would like it to address the benefits to the Ord Community residents as well. President Moore also suggested replacing the word "minimize" with a phrase that includes "zero balance" in the Bayer Tank article. He added the topics are of great interest and was pleased with the content of the newsletter. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

D. Review Draft Board Transmittal to Receive the Quarterly Financial Statements for April 1, 2005 to June 30, 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

E. Review Draft Board Transmittal to Consider Approving Expenditures for the Month of August 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- F. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of July 13, 2005:

President Moore had one small change and stated he would get with staff offline with his change. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- G. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of July 27, 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- H. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of August 1, 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- I. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of August 10, 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

- J. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of August 24, 2005:

There were no questions or comments on this item. President Moore requested this item to be placed on the consent calendar for the September 28, 2005 Board meeting.

5. Discuss Possible Agenda Items for the September 28, 2005 Planning Workshop and Provide Direction to Staff:

Director Scholl suggested discussing the 2005 Urban Water Management Plan (UWMP) during the Planning Workshop. Mr. Lucca stated there are policy issues that need to be discussed with the Board regarding the UWMP. President Moore suggested another item for a Planning Workshop was an Ordinance regarding the Cost Centers. He added this could take place at the October meeting. Mr. Lucca stated the discussion of the UWMP would be quite lengthy. Director Nishi suggested having additional back-up items on the agenda for when the Board completes an agenda early.

6. Director's Comments:

Director Nishi stated that he still has concerns over the process used with the negotiators.

Director Gustafson agreed with Director Nishi.

Director Scholl commented that he has a Recycled Water Committee with the MRWPCA on September 15th and stated if the Board had any message to carry back to the MRWPCA he would be glad to deliver it. He added that Mr. Armstrong participated in and he and Director Nishi attended the MPWMD Town Hall meeting regarding that could bring additional water to the MPWMD area. Director Scholl stated he was disappointed that the local agencies don't work together in a more coordinated manner.

President Moore stated he would like to see the Directors treat each other with more respect.

Director Nishi inquired on check 39345 listing PCA negotiations and would like more information to be provided at the next meeting.

Director Nishi inquired on the letter sent to CSUMB. He did not remember the Board giving direction on the letter sent to CSUMB. Director Nishi again voiced his concern over the processes used by the District.

7. Correspondence:

No comments.

8. 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 did not hold the closed session item as no new information was received since the last discussion.

9. Possible Action on Closed Session Item:

No closed session item was held.

10. Adjournment:

The meeting was adjourned at 7:58 p.m.

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APPROVED:

Thomas P. Moore, President Date

ATTEST:

Michael D. Armstrong, General Manager