

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
October 26, 2005
7:00 p.m.

Minutes

1. Call to Order:

President Moore called the meeting to order at 7:00 p.m. on October 26, 2005.

Board Members Present:

Tom Moore – President
David Brown – Vice President
Charles Scholl

Board Members Absent:

Ken Nishi - excused
Howard Gustafson

Staff Members Present:

Mike Armstrong, General Manager
Marc Lucca, Deputy General Manager/District Engineer
Lloyd Lowrey, Legal Counsel
Suresh Prasad, Director of Finance
Joan Warren, Management Services Administrator
Jade Sullivan, Capital Projects Manager
Rich Youngblood, Conservation Coordinator
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Schaffer, Marina Community Partners
Michael Shaw, Cypress Knolls
Bob Holden, MRWPCA

2. Oral Communications:

None.

3. Public Hearing:

- A. Consider First Reading of Ordinance No. 41 Approving Penalties for Unauthorized Taking of Water and Direct Staff to Schedule a Second Reading on November 9, 2005:

Mr. Mike Armstrong, General Manager, introduced this item.

President Moore opened the Public Hearing at 7:02 p.m. There were no public comments made. President Moore closed the Public Hearing at 7:03 p.m.

Director Scholl made a motion to schedule a second reading for Ordinance No. 41 on November 9, 2005. Vice President Brown seconded the motion. With a vote of 3-Ayes, 0-Noes, 2-Absent (Director Nishi – excused), the motion was passed.

4. Consent Calendar:

Vice President Brown made a motion to approve the consent calendar consisting of items A) Consider Adoption of Resolution No. 2005-61 to Authorize the Construction Phase of the Ord Community WWTP Flume Project; B) Consider Adoption of Resolution No. 2005-62 to Authorize the Reservoir C2 Inspection and Repair Project; C) Consider Adoption of Resolution No. 2005-63 Clarifying the Work Elements of the Approved Construction Budget for the Ord Community Lift Station Improvements Project; D) Consider Approval of Revised Board Meeting Schedule for November and December 2005; E) Consider Approving Expenditures for the Month of September 2005; F) Consider Approval of the Draft Minutes of the Regular Board Meeting of September 14, 2005; and, G) Consider Approval of the Draft Minutes of the Regular Board Meeting of September 28, 2005. Director Scholl seconded the motion. The motion was passed.

Director Gustafson	-	Absent	Vice President Brown	-	Yes
Director Scholl	-	Yes	President Moore	-	Yes
Director Nishi	-	Excused Absence			

5. Informational Items:

- A. General Manager's Report:

Mr. Armstrong gave a brief status report on the Water Augmentation Hybrid Project explaining that a meeting was held with representatives from RMC, the MRWPCA and the District. Another meeting to include the General Managers will take place on October 27th. Mr. Armstrong stated that he had attended a State Water Resources Control Board meeting in Salinas where presentations were made by the Monterey County Water Resources Agency (MCWRA), Pajaro Valley Water Management Agency (PVWMA), Monterey Peninsula Water Management District (MPWMD), Cal Am, and Pajaro/Sunny Mesa (PSM).

Agenda Item 5-A (continued):

Mr. Armstrong added that the MCWRA gave a briefing on the Salinas Valley Water Project; the PVWMA gave a presentation on the importation project and a recycled water project; the MPWMD gave a presentation on their progress on certain projects; and, Cal Am and PSM both gave presentations as well.

Mr. Armstrong announced that a Desalination Conference kicked off in Monterey earlier that day.

B. Counsel's Report:

Nothing to report. President Moore asked if Mr. Lloyd Lowrey, Legal Counsel, had any comments about an Ordinance to keep the cost centers for Marina and the Ord Community separate. Mr. Lowrey answered that he would have an update at the next meeting.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No comments.

2. Joint City-District Committee:

President Moore stated that the meeting was cancelled due to lack of quorum.

3. MRWPCA Board Member:

Director Scholl stated the MRWPCA sent the District a letter requesting another meeting of the joint leadership group. The MRWPCA also discussed having RMC attend the next Recycled Water Committee (RWC) meeting. Mr. Armstrong added that Mr. Keith Israel, MRWPCA General Manager, requested to have RMC attend the RWC meeting to go over the scope of work that the MCWD Board already approved.

Director Scholl commented that as a result of last year's Strategic Planning initiative to reduce salt, the MRWPCA has been receiving large amounts of brine from some of the local industries.

Director Scholl added that the MRWPCA is also working on an outreach program for the Seaside Basin recharge program.

4. LAFCO Liaison:

No comments.

5. JPIA Liaison:

No comments.

6. Special Districts Association (SDA) Liaison:

President Moore stated a meeting was held on October 25, 2005 where the main topic was tsunami preparedness.

7. FORA:

No comments.

8. Executive Committee:

No comments.

9. Community Outreach:

No comments.

10. Director's Comments:

President Moore commented that at the last meeting on October 12, 2005, due to the large attendance, public members had to park in the Marina State Beach parking lot and Mr. John Sanders received a parking ticket. President Moore asked Mr. Armstrong to contact the Park Rangers and see if they could come to some kind of agreement. Mr. Armstrong stated he would.

President Moore commented that the upcoming fiscal year had a lot of infrastructure that needed to be put in the ground and asked if a District consultant could give their best timeline of when the need for the infrastructure would occur and when the District could expect to collect capacity fees for the developments. He also would like to know when to expect the \$25 surcharge that will be collected from Ord Community residents. Mr. Armstrong stated that staff has been working with Citibank in mapping out strategies on when the infrastructure needs to be built and when the District will need to begin borrowing funds without getting overextended or having too much infrastructure in the ground before it is needed. He added that he expects to bring an update to the Board within the next several months.

President Moore recessed the meeting from 7:26 until 7:30 p.m.

6. Planning Workshop:

A. Board Procedures and Performance:

President Moore briefly reviewed the excerpt from the Board Procedures Manual (BPM) provided in the packet. He asked if the Board should consider removing all references to the Operations & Maintenance and Budget and Personnel Committees from the BPM as the Board does not hold those Committee meetings anymore now that there are two Board meetings a month. Director Scholl commented that those Committees could be removed but no one follows the BPM anyway. He added that he had asked that this item be placed on the agenda for discussion. Director Scholl also commented that at tonight's meeting, the Board members present demonstrated that they can work together as a team. He added that he serves on another Board with people who have many different disciplines and education levels, yet they all work together and get much more accomplished than this Board. Director Scholl commented that they are able to do that because of the following reasons: 1) they focus proactively on getting things done; 2) they demonstrate respect for fellow Board members and staff; and, 3) they build camaraderie where the result of the whole is greater than the sum of the pieces.

Vice President Brown stated that he agreed with Director Scholl's comments. He added that the Board should consider adding a policy to the BPM regarding side meetings between Board members during a Board meeting.

Mr. Lowrey added that embodied in the BPM is the philosophy of an annual rotation of the President and Vice President and the Board could consider adding mention of a physical rotation as well.

Mr. Bob Schaffer, Marina Community Partners, commented that he felt it was a problem to write a policy asking everyone to be social with each other. He suggested changing the order of the seating at the dais.

Vice President Brown suggested adding another category, sexual orientation, under "Harassment-Free Work Environment". He also suggested changing the meeting schedule to the 2nd and 4th Wednesday's of the month. Mr. Armstrong stated that previously, some revisions had been suggested but were never brought before the Board. He added that staff could bring suggested revisions for further review if the Board so desires. Director Scholl stated that he didn't place a high priority on it at this time.

Director Scholl asked legal counsel what Board members could do to censure each other. Mr. Lowrey stated that Board members could censure each other for things such as reporting information out of closed session or not showing up for meetings for an extended time. President Moore inquired on censure for not filing Statement of Economic Interest forms.

6. Planning Workshop (continued):

President Moore asked if the Board had power to further punish a Director beyond the statutes imposed by the State. Mr. Lowrey stated he had looked into it in the past but did not feel there was a definitive answer. Discussion followed regarding the filing or lack thereof of Statement of Economic Interest forms.

Director Scholl made a motion to recommend a seating chart that would place the President in the middle, the Vice President to his left, and that Director's Nishi and Gustafson sit on opposite sides of the dais. Vice President Brown suggested a neutral way of seating Directors would be as the Supreme Court does; the President in the middle, the Vice President to the right or left of the President, on the opposite side of the President from the Vice President the most senior member, then on the other side of the Vice President the member with the next highest level of seniority, then the least senior member on the other side of the first senior member. Director Scholl amended his motion to include Vice President Brown's suggestion. Mr. Lowrey stated that a motion could not be made at this time but could be agendized for action at the next meeting. President Moore requested to have the seating chart as an action item at the next meeting.

B. Strategic Planning:

Mr. Armstrong stated that the dates both staff and Ms. Eileen Goodwin, Apex Strategies, are available are December 6, 13, and the 20th with a preference of the 6th or 13th from 3 – 9:00 p.m. President Moore stated December 6th works for him. Directors Scholl and Brown agreed the 6th worked for them as well. Director Scholl stated he would like the Director's to receive homework assignments prior to the Strategic Planning Workshop. Mr. Armstrong stated he would discuss homework assignments with Ms. Goodwin.

7. Closed Session:

Mr. Armstrong announced there would not be any closed session items.

9. Adjournment:

The meeting was adjourned at 8:07 p.m.

APPROVED:

Thomas P. Moore, President Date

ATTEST:

Michael D. Armstrong, General Manager