

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
February 22, 2006
7:00 p.m.

Minutes

1. Call to Order:

President Brown called the meeting to order at 7:02 p.m. on February 22, 2006.

Board Members Present:

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

Board Members Absent:

None

Staff Members Present:

Marc Lucca, General Manager
Lloyd Lowrey, Legal Counsel
Andrew Sterbenz, Interim District Engineer
Ken Demmons, Project Engineer
Jade Sullivan, Capital Projects Manager
Suresh Prasad, Director of Finance
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Doug Yount, City of Marina
Michael Shaw, Cypress Knolls
Bob Schaffer, Marina Community Partners
Lyndel Melton, RMC Environment and Water
Eric Robinson, Cypress Knolls
Bill Brasher, Marina Heights
Bob Holden, MRWPCA
Thom Kaufman, Carollo Engineers
Byron Buck, Byron Buck & Associates
Chris Luffman, CreekBridge Homes

2. Oral Communications:

None.

3. Review Draft Board Items:

- A. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx to Approve the Draft Water Supply Assessment and Written Verification of Supply for the Cypress Knolls Development Project:

Mr. Marc A. Lucca, General Manager, introduced this item. Mr. Byron Buck, Byron Buck & Associates, gave a brief update on the Water Supply Assessment and Written Verification (WSA/WV) of Supply for the Cypress Knolls Development Project. The Board asked several clarifying questions and made several suggestions.

President Brown requested this item be placed as an action item for the March 8, 2006 Board meeting.

4. Action Items:

- A. Consider Adoption of Resolution No. 2006-12 to Approve Amendment No. 2 for Phase IIB of the Regional Urban Water Augmentation Project and Amend the FY 2005/2006 Budget:

Mr. Andrew Sterbenz, Interim District Engineer, introduced this item. Director Moore pointed out a typo "Hybrid" on page 31 of the packet.

Vice President Gustafson made a motion to adopt Resolution No. 2006-12 approving Amendment No. 2 for Phase IIB of the Regional Urban Water Augmentation Project and amending the FY 2005/2006 budget. Director Nishi seconded the motion. The motion was passed.

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

- B. Consider Providing Direction Regarding MRWPCA's Direct-Connection Ordinance and its Affect on the Ord Village Lift Station:

Mr. Jade Sullivan, Capital Projects Manager, introduced this item. He noted that the MRWPCA Ordinance included in the packet was outdated. Mr. Sullivan distributed an updated Ordinance for the Board's review.

Agenda Item 4-B (continued):

Director Nishi, as the District's liaison to the MRWPCA, asked for input and direction from the other Board members. He added that he would like the Board to give direction to request that the MRWPCA Board again postpone voting on this item at its February 27th meeting and have both staffs discuss this Ordinance. The other Board members concurred.

President Brown announced that direction was given to Director Nishi regarding requesting that the MRWPCA postpone voting on this Ordinance at its February 27, 2006 meeting.

C. Consider Adoption of Resolution No. 2006-05 to Approve the Draft Water Supply Assessment and Written Verification of Supply for the Proposed Marina Station Project at Armstrong Ranch:

Mr. Lucca introduced this item. Comments and several clarifying questions were made.

Director Moore made a motion to adopt Resolution No. 2006-05 approving the Draft Water Supply Assessment and Written Verification of Supply for the proposed Marina Station Project at Armstrong Ranch. Vice President Gustafson seconded the motion. The motion was passed.

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

D. Consider Adoption of Resolution No. 2006-13 to Authorize the Construction of the Reservation Road Waterline Extension Project:

Mr. Ken Demmons, Project Engineer, introduced this item. Comments and several clarifying questions were made.

Vice President Gustafson made a motion to adopt Resolution No. 2006-13 to authorizing the construction of the Reservation Road Waterline Extension Project. The motion was passed.

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

5. Consent Calendar:

Vice President Gustafson made a motion to approve the consent calendar consisting of items: A) Consider Adoption of Resolution No. 2006-14 to Adopt an Addendum to the City of Marina's Certified EIR for the Marina Heights Development; Adopt a Mitigations Monitoring Plan for the San Pablo Lift Station Construction; and Adopt CEQA Findings; B) Consider Adoption of Resolution No. 2006-15 to Approve Change Order No. 1 to the Ord Community Lift Station Improvements Project for the San Pablo Lift Station and Authorizing Additional Budget for Construction Phase Services; C) Consider Adoption of Resolution No. 2006-16 to Authorize Amendment No. 2 to the 2005 Marina Sewer Improvements Project Professional Services Agreement with Winzler & Kelly for Design and Bidding Phase Services of the Clark Lift Station; F) Review Procedures for Water Conservation Commission; D) Consider Adoption of Resolution No. 2006-17 Regarding Disbursement of the Approved Construction Budget for the California Avenue Water Pipeline Extension Project; E) Consider Adoption of Resolution No. 2006-18 to Approve Amendment No. 3 for Byron Buck & Associates to Complete the 2005 Urban Water Management Plan and to Amend the FY 2005/2006 Budget; F) Consider Approval of the Draft February/March 2006 Newsletter; G) Receive the Quarterly Financial Statements for October 1, 2005 – December 31, 2005; H) Consider Approving Expenditures for the Month of January 2006; I) Consider Approval of the Draft Minutes of the Regular Board Meeting of December 14, 2005; and, J) Consider Approval of the Draft Minutes of the Regular Board Meeting of January 11, 2006. President Brown seconded the motion. The motion was passed.

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

6. Informational Items:

A. General Manager's Report:

Mr. Lucca gave a brief update on the mandatory training for AB 1234 and possible training options. He also mentioned that the 2005 Consumer Confidence Reports for Marina and the Ord Community will be combined into one report. Mr. Lucca informed the Board that the District will be participating in a Water Study Session that the Seaside City Council is sponsoring on March 9, 2006. Mr. Lucca asked the Board to consider a field trip to tour the District and visit several current and upcoming construction projects. Following discussion, it was decided to hold a 2 – 3 hour tour on a Friday between April and June.

B. Counsel's Report:

No report was given.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Moore pointed out a typo on the first page of the minutes. First sentence under item 5 should read, "...the conservation 'field' activities for 2005."

2. Joint City-District Committee:

President Moore stated there was a typo on page 2 of the minutes. The first sentence under item 2 should read, "...an update on the 'Hybrid' Alternative."

3. MRWPCA Board Member:

Director Nishi commented that he had received direction from the other Board members regarding item 4-B, the direct connection to the MRWPCA' Regional System; and also commented that there would be an election for President and Vice President at the next MRWPCA meeting on February 27, 2006.

4. LAFCO Liaison:

Director Nishi stated the next meeting was Monday, February 27, 2006.

5. JPIA Liaison:

No comments.

6. Special Districts Association (SDA) Liaison:

No comments.

7. FORA:

No comments.

8. Executive Committee:

No comments.

9. Community Outreach:

No comments.

7. Staff Report:

A. Well 33 Project Update:

Mr. Sullivan introduced this item and Mr. Thom Kaufman, Carollo Engineers. Mr. Kaufman gave a brief presentation to the Board. After receiving the presentation, the Board asked several clarifying questions. Director Moore asked to see the methodology used to determine the comparison of costs in the three alternatives.

6. Informational Items:

D. Director's Comments:

Director Scholl commented that he felt Mr. Buck's numbers were too low in the Cypress Knolls WSA/WV.

Director Nishi commented that the Board was working better together and that President Brown was doing a good job.

President Brown commented that he also felt that it was a good meeting.

8. Planning Workshop:

A. 2006 Strategic Planning – Board Housekeeping Items:

Mr. Lucca introduced this item. The Board asked to discuss the Board meeting format and directed staff to present a revised Board agenda format for review at its April 26, 2006 meeting.

Director Scholl asked to add "conjunctive use- regarding water use" to the list of Board Housekeeping Items.

President Brown recessed the meeting from 9:00 until 9:02 p.m.

The Board entered into closed session at 9:02 p.m.

9. Closed Session:

- A. Pursuant to Government Code Section 54956.8
 - Conference with Real Property Negotiators
 - Property: Water Rights
 - Negotiating Parties: MCWD and Clark County Water Company
 - Under Negotiation: Price and Terms of Payment

- B. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiators
Property: District Desalination Plant
Negotiating Parties: MCWD and Marina Developers
Under Negotiation: Price and Terms

- C. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator
Property: Easements, Rights-of-Way, Pipelines and Appurtenances, and Water Rights
Negotiating Parties: MCWD and MRWPCA
Under Negotiation: Price and Terms

- D. 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 10:01 a.m.

10. Possible Action on Closed Session Items:

- A. Possible Action on Agreement for Existing Desalination Facility and Associated Water Rights:

President Brown stated that no action was taken on any item in closed session.

11. Adjournment:

The meeting was adjourned at 10:02 p.m.

APPROVED:

David W. Brown, President Date

ATTEST:

Marc A. Lucca, General Manager