

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
May 10, 2006  
7:00 p.m.

**Minutes**

1. Call to Order:

President Brown called the meeting to order at 7:00 p.m. on May 10, 2006.

Board Members Present:

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

Board Members Absent:

None

Staff Members Present:

Marc Lucca, General Manager  
Lloyd Lowrey, Legal Counsel  
Andrew Sterbenz, Interim District Engineer  
Ken Demmons, Project Engineer  
Stephenie Fogel, Administrative Assistant

Audience:

Elizabeth Caraker, City of Marina  
Michael Shaw, Cypress Knolls  
Bob Schaffer, Marina Community Partners  
Dick Goblirsch, Del Rey Oaks  
Bill Brasher, Marina Heights  
Jim Feeney, FOR A  
Bob Holden, MRWPCA  
Mr. Eric Zigas, Environmental Science Associates

Denise Duffy, DDA  
Chandler Roland  
Quinton Roland  
Stan Cook, FORA  
Candy Meyers Owen  
Father John Perez  
Paula Pelot

2. Oral Communications:

Mr. Chandler Roland, Marina resident, voiced his concerns over the use of the District's desalinated water on the Ord Community.

Agenda Item 2 (continued):

Mr. Mike Owen, Marina resident, commented that he was in favor of the Cypress Knolls project and urged the Board to take as much time as needed to look over the agreement and make sure that it is in the best interest of Marina.

Ms Candy Myers Owen, Marina Resident, voiced her approval of the Cypress Knolls project.

Father John Perez, Vicar of the Epiphany Church, urged Board approval of the agreement and support of the Cypress Knolls project.

Mr. Quinton Roland, Marina resident, provided a handout to the Board regarding his concerns over use of the District's desalinated water in the Ord Community (No copy of the handout was provided to staff and is therefore not on file in the District office.) He commented that the water was needed in Central Marina for future growth.

3. Action Item:

- A. Consider Adoption of Resolution No. 2006-33 to Authorize an Amendment to the Agreement between MCWD and Fort Ord Reuse Authority to Fund Construction of the Recycled Waterline as part of the General Jim Moore Boulevard Phase II Road Improvements Project:

Mr. Ken Demmons, Project Engineer, introduced this item and commented that there were a few revisions to the Resolution, and copies of the revised Resolution were provided to the Board and made available to the public. The Board asked a few clarifying questions.

Vice President Gustafson made a motion to adopt Resolution No. 2006-33 authorizing an amendment to the Agreement between MCWD and Fort Ord Reuse Authority to fund construction of the recycled waterline as part of the General Jim Moore Boulevard Phase II Road Improvements Project. Director Scholl seconded the motion.

Mr. Jim Feeney, FORA, commented that FORA was looking forward to this project as it is the first for the recycled water project.

Ms. Elizabeth Caraker, City of Marina, stated that the City of Marina is in support of this project and also thanked the District for keeping the Recycled Urban Water Augmentation Project on schedule.

Mr. Bill Brasher, Marina Heights, stated that they were very strong supporters of this project.

Agenda Item 3-A (continued):

Mr. Bob Schaffer, University Villages, also stated that they were very strong supporters of this project.

Director Scholl commented that he is in support of proceeding with this project although he would like the Board to keep in mind that there are currently no customers for the recycled water.

The motion was passed.

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

B. Consider Adoption of Resolution No. 2006-34 to Approve a Contract Amendment for Additional Environmental Services for the Regional Urban Water Augmentation Project:

Mr. Andy Sterbenz, District Engineer, introduced this item. Director Nishi inquired on the route of the pipeline.

Director Moore made a motion to adopt Resolution No. 2006-34 approving a contract amendment for additional environmental services for the Regional Urban Water Augmentation Project. Vice President Gustafson seconded the motion. Director Nishi asked that the last WHEREAS of the Resolution on page 9 include a date or trigger mechanism by which to receive reimbursement funds from the MRWPCA. Discussion followed. Mr. Lloyd Lowrey, Legal Counsel, suggested language be added to the last WHEREAS to include that "reimbursement is a condition precedent to the conclusion of the CEQA EIR and NEPA Environmental work". Director Moore amended his motion to include the language suggested. Vice President Gustafson seconded the amendment.

Ms. Caracker stated that the City of Marina is in support of this item.

The motion was passed.

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

4. Review Draft Board Items:

- A. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx to Approve the Infrastructure Agreement between the Fort Ord Reuse Authority and MCWD for the Imjin Parkway Office Park:

Mr. Sterbenz introduced this item. Mr. Lowrey stated that Exhibit E language would be moved to Section 5.2 of the Agreement. Director Moore suggested language added to Section 6.2 stating that when recycled water is available the Developers will accept/use it and pay the cost associated with recycled water. Mr. Marc Lucca, General Manager, answered that the suggested language would be added to this item and brought back to the May 24, 2006 meeting for review and action. President Brown requested this item be placed as an action item on the May 24, 2006 Board agenda.

- B. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx to Approve the Infrastructure Agreement between East Garrison Partners I, LLC, the East Garrison Public Financing Authority and MCWD for the East Garrison I Development:

Mr. Sterbenz introduced this item. Mr. Lowrey stated that the same changes noted on the previous item would be incorporated into this document. Mr. Moore requested the changes he suggested on the previous item be incorporated as well.

President Brown requested this item be placed as an action item on the May 24, 2006 Board agenda.

- C. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx Certifying a CEQA Addendum Regarding Use of Existing Desalination Plant Water in the Ord Community:

Mr. Lucca introduced this item and Mr. Eric Zigas, Environmental Science Associates. Mr. Zigas gave a brief explanation of the CEQA addendum on the District's desalination plant.

President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

- D. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx Adopting the Proposition 50 Grant Functionally Equivalent Plan:

Mr. Lucca introduced this item. Director Moore stated the web address was provided on the transmittal to view the Plan and the Plan is in section 3816. Director Nishi voiced his concerns over getting water from the Salinas Basin and stated he was not in support of this item.

Agenda 4-D (continued):

Director Moore voiced his support of the Prop 50 grant. President Brown voiced his support of this item. Director Scholl voiced his support of this item.

President Brown requested this item be placed as an action item on the May 24, 2006 Board agenda.

- E. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx to Renew the Agreement with the Department of the Navy for Locating Beach Erosion and Wave Monitoring Equipment at the District Office:

Mr. Sterbenz introduced this item. Director Nishi asked if the District could get a copy of the erosion reports when they are produced. Mr. Sterbenz answered that he would inquire on receiving reports.

President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

- F. Review Draft Board Transmittal to Consider Adoption of Resolution No. 2006-xx Calling a General District Election on November 7, 2006:

President Brown asked that Vice President Gustafson's current term be clarified as a two-year term. President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

- G. Review Draft Board Transmittal to Receive the Quarterly Financial Statements for January 1, 2006 – March 31, 2006:

Mr. Lucca introduced this item and there were no questions or comments from the public or Board of Directors.

President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

- H. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of April 12, 2006:

There were no questions or comments on this item. President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

I. Review Draft Board Transmittal to Consider Approval of the Draft Minutes of the Regular Board Meeting of April 26, 2006:

There were no questions or comments on this item. President Brown requested this item be placed as a consent item on the May 24, 2006 Board agenda.

5. Planning Workshop:

A. 2006 Strategic Plan – Board Housekeeping: Revised Board Meeting Agenda Format:

Mr. Lucca introduced this item. Director Moore stated that he had difficulty with the proposed 6:30 pm start time. There was concern over time certain to start the meeting following closed session. Director Nishi requested moving the Pledge of Allegiance after the Reconvene to Open Session. He also suggested adding language that public, as well as a board member, can pull an item from the Consent Calendar. Discussion followed over how to schedule closed session items. It was decided to add an item at the end of the meeting for any closed session items to be continued that were not completed in the first scheduled closed session timeframe. Mr. Lucca verified that the start time of the meeting would be 7:00 p.m., the Pledge of Allegiance would be moved to after the meeting is reconvened, and that language would be added to allow public to pull items from the consent calendar.

President Brown requested this item be placed as an action item on the May 24, 2006 Board agenda.

6. Directors Comments:

Director Moore stated that he had completed the AB 1234 Ethics Training online.

President Brown commented that the Board should drink tap water instead of bottled water and it was suggested to have some pitchers of tap water available at the meetings.

Director Scholl commented that he had received complimentary comments from the public that the District staff is very cooperative and doing a great job in getting information to the public.

President Brown recessed the meeting from 8:48 until 8:55 p.m.

The Board entered into closed session at 8:55 p.m.

7. Closed Session:

- A. 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
  
- B. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Water Rights  
Negotiating Parties: MCWD and Clark Colony Water Company  
Under Negotiation: Price and Terms
  
- C. Pursuant to Government Code Section 54957  
Public Employee Appointment  
Title: General Manager  
Negotiating Parties: MCWD Board of Directors  
Under Negotiation: Terms

The Board returned to open session at 9:50 p.m.

8. Possible Action on Closed Session Items:

Mr. Lowrey stated that the Board gave direction to the negotiators and no action was taken.

9. Adjournment:

The meeting was adjourned at 9:50 p.m.

APPROVED:

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Howard Gustafson, Vice President      Date

ATTEST:

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Marc A. Lucca, General Manager