

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
April 11, 2007  
6:45 p.m.

**Minutes**

1. Call to Order:

President Gustafson called the meeting to order at 6:46 p.m. on April 11, 2007 after which the Board entered into closed session.

2. Roll Call:

Board Members Present:

Howard Gustafson – President  
Bill Lee  
Tom Moore  
David Brown – arrived at 6:47 p.m.

Board Members Absent:

Ken Nishi – Vice President – excused

Staff Members Present:

Marc Lucca, General Manager  
Lloyd Lowrey, Legal Counsel  
Jeff Cattaneo, District Engineer  
Richard Youngblood, Conservation Coordinator  
Evelina Adlawan, Water Quality Manager  
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Holden, MRWPCA

3. Closed Session:

- A. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator (General Manager)  
Property: Easements, Rights-of-Way, Pipelines and Appurtenances, and Water Rights  
Negotiating Parties: MCWD and Seaside County Sanitation District  
Under Negotiation: Price and Terms

B. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator (General Manager, Directors Nishi, Gustafson)  
Property: Easements, Rights-of-Way, Pipelines and Appurtenances, and Water Rights  
Negotiating Parties: MCWD and Monterey Regional Water Pollution Control Agency  
Under Negotiation: Price and Terms

C. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiators (General Manager)  
Property: Rights-of-Way, Pipelines and Related Appurtenances  
Negotiating Parties: MCWD and California American Water  
Under Negotiation: Price and Terms

President Gustafson reconvened the meeting to open session at 7:06 p.m.

4. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

5. Possible Action on Closed Session Items:

President Gustafson stated no action was taken in closed session.

6. Oral Communications:

None.

7. Consent Calendar:

Director Moore made a motion to approve the consent calendar consisting of items B) Adopt Resolution No. 2007-29 to Revise the High-Efficiency Clothes Washer Rebate Program; C) Adopt Resolution No. 2007-30 to Approve an Agreement with Payrolling.com for Use in Hiring Temporary Employees; D) Approve Dates to Conduct a 2007 Board Plan and Goals Session; and, E) Approve Expenditures for the Month of March 2007. Director Brown seconded the motion. The motion was passed.

Director Moore	-	Yes	Vice President Nishi	-	Absent
Director Lee	-	Yes	President Gustafson	-	Yes
Director Brown	-	Yes			

A. Approve the 2006 Consumer Confidence Report for the Marina Coast Water District and Ord Community Water Systems:

Director Brown questioned if the radon levels were included in the gross alpha measurements. Ms. Evelina Adlawan, Water Quality Manager, answered that they were not included in the gross alpha. Mr. Marc Lucca, General Manager noted a few editorial changes that were not substantive and if the Board desired, staff could go over those changes. President Gustafson answered that it was not needed.

Director Moore made a motion to approve the 2006 Consumer Confidence Report for the Marina Coast Water District and Ord Community Water Systems with the changes staff mentioned. Director Lee seconded the motion. The motion was passed.

Director Moore	-	Yes	Vice President Nishi	-	Absent
Director Lee	-	Yes	President Gustafson	-	Yes
Director Brown	-	Yes			

B. Approve the Draft Minutes of the Regular Board Meeting of March 14, 2007

Director Lee stated he pulled the item so he could abstain from the vote as he was absent at the March 14<sup>th</sup> meeting.

Director Brown made a motion to approve the draft minutes of the regular Board meeting of March 14, 2007. Director Moore seconded the motion. The motion was passed.

Director Moore	-	Yes	Vice President Nishi	-	Absent
Director Lee	-	Abstained	President Gustafson	-	Yes
Director Brown	-	Yes			

8. Action Items:

President Gustafson stated that Vice President Nishi requested items A (Consider Approval of Variance Form-Letter); C (Consider Modifying the District's Board Manual to Circulate Draft Board Meeting Agendas to the Board's Executive Committee); and, D (Consider Second Reading of Ordinance No. 45 to Amend Section 2.08.020 of the District Code), to be held until the next meeting so he could be present to participate in the discussion.

Director Moore agreed as long as the same consideration would be given to other Board members upon their request. President Gustafson stated anyone would receive the same consideration.

B. Receive Update on Fats, Oil and Grease Program and Authorize Sending a Letter to Outstanding Non-Compliant Businesses:

Mr. Lucca introduced this item. He explained that only eight businesses District-wide have not done anything to comply with the District's Code. An amazing ninety percent have come into compliance within the last year. Mr. Lucca stated that the District needed to follow through with these eight non-compliant businesses in deference to those businesses that are in compliance.

Director Moore questioned the seven businesses in the Ord Community that were scheduled for a Public Works funded project. Mr. Lucca answered that the District was working closely with Mr. Dewey Baird, Army Public Works, and is confident that those businesses will be compliant by the end of May 2007.

Mr. Lucca stated that there is a Korean translation at the top of the draft letter. Director Brown asked if there should be a Spanish translation as well. Mr. Lucca answered that of the business owners who are non-compliant, several speak Korean which is why that translation was selected.

Director Moore made a motion to authorize sending a letter to outstanding non-compliant businesses. Director Brown seconded the motion. Director Lee voiced his concern over starting a precedent by adding a translation on the letter. Director Moore amended his motion to strike the translation from the letter. Director Brown seconded the amended motion. The motion was passed.

Director Moore	-	Yes	Vice President Nishi	-	Absent
Director Lee	-	Yes	President Gustafson	-	Yes
Director Brown	-	Yes			

9. Staff Reports:

A. Receive 1<sup>st</sup> Quarter 2007 Water Consumption Report:

Mr. Richard Youngblood, Conservation Coordinator, introduced this item. There were no questions or comments from the Board or public.

B. Discuss Modifying Board Policy Permitting Board Members to Direct or Request Information from District Counsel:

Mr. Lucca introduced this item. Director Brown commented that the policy is fine as-is and it is not being abused. He asked Mr. Lowrey if he felt it had been abused. Mr. Lowrey answered that he did not feel it was being abused. Director Moore commented that it was unwise to change the policy. The Board members present concurred that the policy should remain as-is.

President Gustafson recessed the meeting from 7:27 until 7:30 p.m.

10. Discuss Possible Agenda Items for the April 25, 2007 Planning Workshop and Provide Direction to Staff:

Mr. Lucca stated that the item for discussion at the April 25, 2007 Planning Workshop is “Duties of Directors” and, an update on the desalination project.

11. General Manager’s Comments:

Mr. Lucca informed the Board that he would be attending the Special District’s Institute conference on May 24 and 25, 2007. On April 25, 2007, the PUC will be holding a meeting at UCMBEST at 9:30 a.m. regarding alternatives to the Coastal Water Project. Mr. Lucca commented that a letter was received from FORA and delivered to the Board which offers assistance and encouragement to complete negotiations with the MRWPCA. The same letter was sent to both agencies. Mr. Lucca commented that over the next several weeks, he would be traveling to Sacramento to talk to people regarding Prop. 84 funds for assistance with CIP projects, desalination, recycled water and reservoir at Armstrong Ranch.

12. Director’s Comments:

Director Moore commented that in October 2007, Special District’s Association will be holding a meeting in Monterey and as it gets closer, there will be more specific workshop information available.

The Board re-entered into closed session at 7:35 p.m.

3. Closed Session:

A. Pursuant to Government Code Section 54956.8

Conference with Real Property Negotiator (General Manager)

Property: Easements, Rights-of-Way, Pipelines and Appurtenances, and Water Rights

Negotiating Parties: MCWD and Seaside County Sanitation District

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President Gustafson reconvened the meeting to open session at 8:18 p.m.

5. Possible Action on Closed Session Items:

Direction was given to staff and no action was taken in closed session.

13. Adjournment:

The meeting was adjourned at 8:18 p.m.

APPROVED:

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Howard Gustafson, President

Date

ATTEST:

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Marc A. Lucca, General Manager