

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
December 12, 2007
6:45 p.m.

Minutes

1. Call to Order:

President Gustafson called the meeting to order at 6:45 p.m. on December 12, 2007.

2. Roll Call:

Board Members Present:

Howard Gustafson – President
Ken Nishi – Vice President
Tom Moore
Dan Burns
Bill Lee – arrived at 7:45 p.m.

Board Members Absent:

None.

Staff Members Present:

Jim Heitzman, General Manager
Jeff Cattaneo, District Engineer
Lloyd Lowrey, Legal Counsel
Andy Sterbenz, Schaaf & Wheeler Consultant
Richard Youngblood, Water Conservation Coordinator
Lizet Ceras, Interim Director of Finance
Brian True, Capital Projects Manager
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Holden, MRWPCA

Vice President Nishi announced that Director Lee was unavoidably detained and would be arriving at the meeting as soon as he was able.

President Gustafson stated that they would wait until a full Board was present before discussing agenda item 3-A (Election of Board President and Vice President). He then moved to item 4-A.

The Board entered into closed session at 6:46 p.m.

4. Closed Session:

- A. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager, Directors Gustafson, Brown)
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
- B. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager, Lloyd Lowrey)
Property: Water Rights
Negotiating Parties: MCWD and Clark Colony Water Company
Under Negotiation: Price and Terms
- C. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager)
Property: 11 Reservation Road
Negotiating Parties: MCWD and Marina Dunes
Under Negotiation: Price and Terms
- D. 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
- E. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiators (General Manager)
Property: Armstrong Ranch Reserved Area and Easements
Negotiating Parties: MCWD and Armstrong Family
Under Negotiation: Price and Terms
- F. Pursuant to Government Code Section 54956.95
Liability Claims
Claimant: El Rancho Mobile Home Park and Shopping Center
Agency Claimed Against: Marina Coast Water District

President Gustafson reconvened the meeting to open session at 7:08 p.m.

5. Possible Action on Closed Session Items:

President Gustafson stated that direction was given to the negotiators regarding Item A and no action was taken in closed session.

6. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

7. Oral Communications:

None.

8. Consent Calendar:

Director Moore requested to pull item C from the consent calendar. Vice President Nishi requested to pull item A from the consent calendar. Mr. Jeff Cattaneo, District Engineer, requested to pull item B from the consent calendar.

Director Burns made a motion to approve the consent calendar consisting of items D) Adopt Resolution No. 2007-87 to Approve Adopting the Monterey County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) – September 2007; E) Adopt Resolution No. 2007-88 to Modify the Check Signing Policy; F) Approve the Expenditures for the Month of November 2007; G) Approve the Draft Minutes of the Regular Board Meeting of November 14, 2007; H) Approve the Draft Minutes of the Special Board Meeting of November 18, 2007; I) Approve the Draft Minutes of the Special Board Meeting of November 29, 2007. Director Moore seconded the motion. The motion was passed.

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

A. Approve the Proposed Regular Board Meeting and Standing Committee Meeting Dates and Times for 2008:

Vice President Nishi commented that he would like to see two meetings in November and December 2008.

Vice President Nishi made a motion to approve the proposed regular Board meeting and Standing Committee meeting dates and times for 2008 with two meetings in November and December. President Gustafson seconded the motion. Vice President Nishi said staff could decide which dates in November and December.

Agenda Item 8-A (continued):

The motion was passed.

Director Moore	-	No	Vice President Nishi	-	Yes
Director Lee	-	Absent	President Gustafson	-	Yes
Director Burns	-	Yes			

B. Adopt Resolution No. 2007-85 to Approve the Water Supply Assessment for the Proposed Resort at Del Rey Oaks:

Mr. Cattaneo stated there was a math error in one of the formulas in the spreadsheet of the WSA. It would be corrected and returned to the Board in January 2008.

C. Adopt Resolution No. 2007-86 to Authorize District Property to be Surplused:

Director Moore commented that it was premature to consider the 11 Reservation Road property as surplus.

Vice President Nishi made a motion to adopt Resolution No. 2007-86 to authorize District property to be surplused. Director Burns seconded the motion. The motion was passed.

Director Moore	-	No	Vice President Nishi	-	Yes
Director Lee	-	Absent	President Gustafson	-	Yes
Director Burns	-	Yes			

9. Action Items:

A. Consider Adoption of Resolution No. 2007-89 to Approve an Amendment to the Professional Services Agreement with RMC Water & Environment for the Regional Urban Water Augmentation Project Water Supply Evaluation:

Mr. Jim Heitzman, General Manager, introduced this item.

Vice President Nishi made a motion to adopt Resolution No. 2007-89 approving an amendment to the Professional Services Agreement with RMC Water & Environment for the Regional Urban Water Augmentation Project Water Supply Evaluation. Director Burns seconded the motion. The motion was passed.

Director Moore	-	No	Vice President Nishi	-	Yes
Director Lee	-	Absent	President Gustafson	-	Yes
Director Burns	-	Yes			

11. Informational Items:

A. General Manager's Report:

Mr. Heitzman announced that there was going to be a Holiday Potluck for Directors and employees at the Ord office on Thursday, December 13, 2007 from 11:30-12:30 pm.

B. District Engineer's Report:

Mr. Cattaneo commented that modifying the design for the D/E Reservoir project could save the District approximately \$750,000. The modification would be to construct the 2.25 million gallon tank from steel instead of concrete.

C. Counsel's Report:

Mr. Lowrey stated he had nothing to report.

D. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No comments.

2. Joint City-District Committee:

President Gustafson stated that the committee would meet quarterly.

3. MRWPCA Board Member:

Director Burns stated the holiday dinner was good and the meeting was short.

4. LAFCO Liaison:

Vice President Nishi stated he did not attend the meeting as there was nothing of importance to the District on the agenda.

5. JPIA Liaison:

Director Moore stated he did not attend the meeting as there was nothing of importance to the District on the agenda.

6. Monterey Bay Regional Water Authority:

President Gustafson stated that no meeting was held.

7. FORA:

Vice President Nishi stated the meeting was canceled.

8. Executive Committee:

President Gustafson stated that no meeting was held.

9. Community Outreach:

President Gustafson stated that no meeting was held but there was going to be a barbeque at the El Rancho Mobile Home Park.

10. Ord Community Ad Hoc Committee:

Director Moore commented that the December meeting was rescheduled for January 24, 2007.

11. Special Districts Association Liaison:

President Gustafson stated the next meeting was in January.

E. Director's Comments:

Vice President Nishi asked that the District try to use City of Marina merchants to do business if possible.

President Gustafson asked to postpone agenda item 3-A to the January 9, 2008 meeting.

The Board reentered into closed session at 7:28 p.m. Director Lee arrived at 7:45 p.m.

4. Closed Session:

A. Pursuant to Government Code Section 54956.8

Conference with Real Property Negotiator (General Manager, Directors Gustafson, Brown)
Property: Easements, Rights-of-Way, Pipelines and Appurtenances, and Water Rights
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Negotiating Parties: MCWD and Armstrong Family
Under Negotiation: Price and Terms

President Gustafson reconvened the meeting to open session at 8:10 p.m.

5. Possible Action on Closed Session Items:

Director Moore made a motion to approve an Agreement for Exclusive Right to Negotiate for Purchase of Pre-1914 Water Right with Clark Colony Water Company. Director Burns seconded the motion. The motion was passed.

Director Moore	-	Yes	Vice President Nishi	-	Yes
Director Lee	-	Yes	President Gustafson	-	Yes
Director Burns	-	Yes			

13. Adjournment:

The meeting was adjourned at 8:11 p.m.

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APPROVED:

Howard Gustafson, President

Date

ATTEST:

Jim Heitzman, General Manager