

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
January 23, 2008  
6:45 p.m.

**Minutes**

1. Call to Order:

President Gustafson called the meeting to order at 6:45 p.m. on January 23, 2008.

2. Roll Call:

Board Members Present:

Howard Gustafson – President  
Ken Nishi – Vice President  
Tom Moore  
Dan Burns  
Bill Lee

Board Members Absent:

None.

Staff Members Present:

Jim Heitzman, General Manager  
Jeff Cattaneo, District Engineer  
Lloyd Lowrey, Legal Counsel – arrived at 6:47 p.m.  
Lizet Ceras, Interim Director of Finance  
Richard Youngblood, Conservation Coordinator  
Brian True, Capital Projects Manager  
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Holden, MRWPCA  
Paula Pelot, Preston Park Tenants Association

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, Nishi)  
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 54956.9  
Conference with Legal Counsel – Existing Litigation  
Subdivision (a) of Section 54956.9  
- Monterey County Superior Court Case No. M87817, Jan Shriner v. Marina Coast Water District Board of Directors, et al.
  
- C. 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
  
- D. 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 7:11 p.m.

4. Possible Action on Closed Session Items:

President Gustafson stated that no action was taken in closed session and direction was given.

Mr. Lloyd Lowrey announced that the Board had reviewed a document in closed session and now in open session, would take a vote to send a letter to the Monterey Regional Water Pollution Control Agency.

Vice President Nishi made a motion to send a letter to the Monterey Regional Water Pollution Control Agency. Director Moore seconded the motion. The motion was passed.

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

5. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

6. Oral Communications:

None.

7. Consent Calendar:

Director Moore made a motion to approve the consent calendar consisting of items A) Adopt Resolution No. 2008-03 to Approve Retroactive Collection of Capital Surcharge Elements of the Budget and the Ord Community Compensation Plan for FY 2005-2006, 2006-2007, and 2007-2008; B) Adopt Resolution No. 2008-04 to Approve a New Salary Range for the Management Services Administrator Position; and, C) Approve the Draft Minutes of the Regular Board Meeting of January 9, 2008. Director Lee seconded the motion. The motion was passed.

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

8. Action Items:

- A. Consider Adoption of Resolution No. 2008-05 to Approve an Agreement with the Monterey County Water Resources Agency for Proposition 50 Sub-grantee Disbursement for the Eastern Distribution System Project:

Director Moore made a motion to adopt Resolution No. 2008-05 approving an agreement with the Monterey County Water Resources Agency for Proposition 50 Sub-grantee Disbursement for the Eastern Distribution System Project. 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			

- B. Consider Director Appointments to Standing Committees of the Board and to Outside Agencies for 2008:

President Gustafson made his recommendations for Director Appointments to Standing Committees of the Board and to Outside Agencies for 2008.

Agenda Item 8-B (continued):

<u>Committee</u>	<u>Director</u>	<u>Alternate(s)</u>
WCC	Lee	Burns
Joint City/District	Gustafson, Burns	Nishi
MRWPCA Board	Nishi	Burns
MRWPCA Negotiating Team	Gustafson	Lee
FORA	Nishi	Burns, Lee
LAFCO	Nishi	Moore
JPIA	Burns	Lee
Special Districts Association	Gustafson	Lee
Executive Committee	Gustafson, Nishi	
Community Outreach	Gustafson, Lee	
Ord Community Ad Hoc	Lee	Burns
MCWD/CWD Liaison	Gustafson	Burns
MBRWA	Gustafson	

Vice President Nishi made a motion to approve President Gustafson’s recommendations for Director Appointments. Director Burns seconded the motion. The motion was passed.

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

C. Consider Designating a Labor Negotiator Representative for Represented Employees:

Jim Heitzman, General Manager, introduced this item. He explained that he would like to negotiate to increase employee life insurance coverage. This would be an inexpensive way too improve the benefit package and attract more applicants for open positions. Director Lee asked if Board members could pay the premium and be included in the coverage. Vice President Nishi stated that he is not in favor of voting in compensation for the current Board members. He would not be against voting for compensation for a future Board.

Vice President Nishi made a motion to appoint Jim Heitzman as the Labor Negotiator Representative. 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			

9. Informational Items:

A. General Manager's Report:

Mr. Heitzman commented that a letter was received from Assemblymember John Laird voicing his support of proposed Ordinance No. 51 allowing sub-metering for multi-unit residential developments. He also announced that the elevated tank at the Marina Airport was scheduled to be demolished Thursday morning at 9:00 am.

B. District Engineer's Report:

Mr. Cattaneo commented that Nextel was unable to negotiate a permit with the City of Seaside to allow them to move their tower from the E reservoir tank so the District could continue with the D/E project. Now the District has to negotiate with the contractor to suspend work until Nextel is able to move their tower. Discussion followed. Vice President Nishi asked that this item be agendaized for the next meeting.

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:

No comments.

3. MRWPCA Board Member:

Vice President Nishi stated that the next meeting was scheduled for Monday, January 28, 2008.

4. LAFCO Liaison:

Vice President Nishi stated that the next meeting was scheduled for Monday, January 28, 2008.

5. JPIA Liaison:

No comments.

6. Monterey Bay Regional Water Authority:

President Gustafson stated that no meeting was held.

7. FORA:

Vice President Nishi stated the meeting was boiler-plate.

8. Executive Committee:

President Gustafson stated that no meeting was held.

9. Community Outreach:

President Gustafson stated that no meeting was held.

10. Ord Community Ad Hoc Committee:

Director Moore commented that the January meeting was canceled and would be rescheduled.

11. Special Districts Association Liaison:

President Gustafson stated there were new representatives on the Board. Director Moore commented that Rick Verbanec was voted in as President of the Special Districts Association for 2008. He added that there was discussion on County Water Districts which everyone found interesting. Director Moore stated that someone from TAMC would probably speak at the April meeting.

E. Director's Comments:

There were no comments.

10. Adjournment:

The meeting was adjourned at 7:37 p.m.

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APPROVED:

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Howard Gustafson, President

Date

ATTEST:

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Jim Heitzman, General Manager