

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
September 9, 2008  
7:00 p.m.

**Minutes**

1. Call to Order:

President Gustafson called the meeting to order at 7:00 p.m. on September 9, 2008.

2. Roll Call:

Board Members Present:

Howard Gustafson – President  
Ken Nishi – Vice President  
Tom Moore – arrived at 7:01 p.m.  
Dan Burns

Board Members Absent:

Bill Lee

Staff Members Present:

Jim Heitzman, General Manager  
Lloyd Lowrey, Legal Counsel  
Jean Premutati, Management Services Administrator  
Brian True, Interim District Engineer  
Richard Youngblood, Conservation Coordinator  
Suresh Prasad, Director of Finance  
Jim Dowless, Operations and Maintenance Superintendent  
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Craig Anthony, California American Water Company  
Leif Coponen, Schaaf & Wheeler  
Tom Kouretas, MRWPCA  
Bob Schaffer, Marina Community Partners

3. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

4. Oral Communications:

None.

5. Consent Calendar:

Director Burns requested to pull item C, Director Moore requested to pulled item A, and Vice President Nishi requested to pull item B from the Consent Calendar.

Director Burns made a motion to approve the Consent Calendar consisting of item D) Approve the Draft October 2008 Newsletter; E) Receive the Quarterly Financial Statements for April 1, 2008 to June 30, 2008; and F) Approve the Expenditures for the Month of August 2008. President Gustafson seconded the motion. The motion was passed.

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

A. Adopt Resolution No. 2008-42 to Accept the Off-Site and On-Site Improvements Installed Under the Reimbursement Agreement with East Garrison Partners That Includes a Portion of the Transmission Main Within the Eastern Distribution System Project (MCWD Capital Project OW-116):

Director Moore asked if the district was contractually obligated and what the latest date to make the payment was. Mr. Lloyd Lowrey, Legal Counsel, answered that the District was contractually obligated by this Agreement. Mr. Brian True, Interim District Engineer, added that final payment would not be authorized until the Warranty Bond and Bill of Sale were in hand. Mr. Lowrey commented that everything the East Garrison Partners were supposed to do, in terms of the agreement, was done and there is no reason for the District to delay payment. Director Moore commented that he would like to wait until everything is complete before authorizing payment. Vice President Nishi suggested authorizing payment and giving the General Manager the discretion to make sure the work is done before making the payment.

Vice President Nishi made a motion to adopt Resolution No. 2008-42 accepting the off-site and on-site improvements installed under the Reimbursement Agreement with East Garrison Partners that includes a portion of the transmission main within the Eastern Distribution System Project with the condition the General Manager makes sure the work is done and the documentation was complete. Director Burns seconded the motion. The motion was passed.

Agenda Item 5-A (continued):

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

B. Adopt Resolution No. 2008-43 to Approve the Vehicle Purchase Policy and Amend the FY 2008-2009 Budget:

Vice President Nishi questioned the verbiage in the first WHEREAS of the resolution. Mr. Heitzman, General Manager, answered that it should read, “adopt a Vehicle Purchase Policy” and not “Vehicle Replacement Policy”.

Director Moore suggested revising the policy and having only one policy to avoid the confusion.

Vice President Nishi made a motion to adopt Resolution No. 2008-43 to approve the Vehicle Purchase Policy with the amendment of deleting item 1 from the Vehicle Purchase Policy and renumbering items 2 and 3. Following the motion, the Board had discussion and it was requested to bring one revised policy back to the next meeting for consideration.

C. Adopt Resolution No. 2008-44 to Approve the Expenditure of Funds for the Joint Artificial Turf Demonstration Project:

Director Burns commented that he did not feel the chosen location gave enough exposure to the project. Mr. Youngblood stated that this location was decided upon because it was located outside the Fire Station, Police Station, City Hall and Community Center. Director Burns reiterated that he did not feel the location had enough exposure. Vice President Nishi stated that he spoke with the City Manager regarding the location and it was suggested to discuss this issue at the Joint City District Committee.

Director Moore asked if staff had any calculations on how much water would be saved by replacing grass in a median as opposed to how much water savings could be avoided by not putting in natural turf where the artificial turf is proposed to be. Mr. Youngblood answered that those calculations have not been done.

President Gustafson commented that the location suggested would be beneficial for children and there is a lot of foot traffic at those offices.

Vice President Nishi suggested tabling this item until after the next Joint City District meeting to allow for discussion.

President Gustafson tabled this item until after the next Joint City District meeting.

6. Staff Report:

A. Human Resources Review of Board Procedures Manual No. 5 (Harassment-Free Work Environment) and No. 16 (Code of Ethics):

Mr. Heitzman introduced this item. Ms. Jean Premutati, Management Services Administer, reviewed the Harassment-Free Work Environment section in the Board Procedures Manual and explained that the District has a zero tolerance level towards harassment. Vice President Nishi stated that he asked for this item because he heard an offensive comment made at the last meeting. Director Burns asked if the Board could participate in the District's next harassment training class. Vice President Nishi agreed the Board should participate in a class or a special workshop could be held. Mr. Lowrey encouraged the Board to participate in a training class, as any training documentation would be advantageous to the District and Board.

Vice President Nishi stated that he would like to see the individual apologize. Mr. Lowrey agreed that there ought to be steps taken to see that the policy is carried out and some kind of action taken. He suggested that this be discussed with the Human Resources Director and if needed, with legal counsel, then any action that was taken could be reported back to the Board at the next meeting. Vice President Nishi stated that he did not want this offense to be swept under the rug.

Mr. Lowrey asked that an item be agendized for the next meeting to discuss action taken regarding the offensive comment made.

7. Informational Items:

A. General Manager's Report:

Mr. Heitzman commented that the Board Policy Manual is being updated and a draft will be provided for review then consideration at a future meeting. The Personnel Policy Manual is also being updated and that it will be presented to the Board in early 2009. Mr. Heitzman introduced Mr. Craig Anthony, California American Water Company.

A. District Engineer's Report:

Mr. True stated that he had nothing to report.

B. Counsel's Report:

Mr. Lowrey stated he had nothing to report.

D. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No comments.

1. Joint City-District Committee:

No meeting was held.

2. MRWPCA Board Member:

Vice President Nishi stated the meeting was later in the month.

4. LAFCO Liaison:

Vice President Nishi stated the meeting was later in the month.

3. JPIA Liaison:

No comments.

4. Monterey Bay Regional Water Authority:

No comments.

5. FORA:

Vice President Nishi stated the meeting was later in the month.

8. Executive Committee:

No comments.

9. Community Outreach:

No comments.

10. Ord Community Ad Hoc Committee:

No comments.

11. Special Districts Association Liaison:

No meeting was held.

E. Director's Comments:

Vice President Nishi asked to have an agenda item to change the date for the November meeting as it was currently scheduled on a holiday. He then commented that he has asked that staff make as many purchases locally as possible. Although there are times the product is not available, he would like to see an effort to purchase locally.

8. Adjournment:

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

APPROVED:

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Howard Gustafson, President

ATTEST:

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Jim Heitzman, General Manager