

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Regular Board Meeting
January 13, 2009
6:45 p.m.

Minutes

1. Call to Order:

President Gustafson called the meeting to order at 6:45 p.m. on January 13, 2009.

2. Roll Call:

Board Members Present:

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

Board Members Absent:

None.

Staff Members Present:

Jim Heitzman, General Manager
Lloyd Lowrey, Legal Counsel
Jean Premutati, Management Services Administrator
Brian True, Interim District Engineer
Ernest Pons, Customer Service Supervisor
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Holden, Monterey Regional Water Pollution Control Agency
Vienna Moore, Resident
Jan Shriner, Green Party
Bob Schaffer, Marina Community Partners
Jim Arnold, FORA

3. Closed Session:

- A. 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

- B. 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

- C. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager, Legal Counsel)
Property: Second and Imjin
Negotiating Parties: MCWD, FORA, AMBAG
Under Negotiation: Price and Terms

- D. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager, Legal Counsel)
Property: General Jim Moore Blvd. Pipeline
Negotiating Parties: MCWD and California American Water Company
Under Negotiation: Price and Terms

President Gustafson reconvened the meeting to open session at 7:11 p.m.

4. Possible Action on Closed Session Items:

President Gustafson stated that direction was given and no action was taken in closed session. President Gustafson then announced that the Board would reconvene into closed session at the end of the meeting to finish discussion on the closed session items.

5. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

6. Oral Communications:

Ms. Jan Shriner, Green Party, encouraged the Board to put the video tapes of the meetings on the Government Channel so they could be viewed in their entirety. The charge for video taping is \$75 per hour for each person working the camera and sound equipment. The next showing of the December 23, 2008 Board meeting is January 15th at 4:00 pm.

7. Consent Calendar:

Director Moore requested to pull item D from the Consent Calendar.

Director Burns made a motion to approve the Consent Calendar consisting of items; A) Adopt Resolution No. 2009-01 to Approve a Professional Services Agreement Amendment No. 1 with Denise Duffy and Associates for Preparation of an Environmental Impact Report for the 220 Acre Property Transfer and Annexation for the Regional Urban Water Augmentation Project; B) Adopt Resolution No. 2009-02 to Authorize District Property to be Surplused; and C) Approve Expenditures for the Month of December 2008. Director Moore seconded the motion. The motion was passed.

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

D. Approve the Draft Minutes of the Regular Board Meeting of December 23, 2008:

Director Moore stated that he had requested a copy of the video of the December 23rd meeting and wanted more time to review the minutes against the video to ensure they were captured correctly.

Director Moore made a motion to postpone approval of the draft minutes of the regular Board meeting until February 10, 2009. Vice President Lee seconded the motion. The motion failed.

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

Director Nishi made a motion to approve the draft minutes of the regular Board meeting of December 23, 2008. Director Burns seconded the motion. The motion was passed.

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

8. Action Items:

- A. Consider Adoption of Resolution No. 2009-03 to Authorize the Expenditure of an Increased Amount of Construction Costs to Install a 30-inch Potable Waterline Within the Fort Ord Reuse Authority's General Jim Moore Boulevard Phase IV Improvement Project Alignment:

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

- B. Consider Director Appointments to Standing Committees of the Board and to Outside Agencies for 2009:

President Gustafson stated handouts with his recommendations were given to everyone and explained that everyone was assigned to a committee. The assignments are as follows:

Water Conservation Commission	-	Lee, Burns as alternate
Joint City District Committee	-	Gustafson and Burns, Nishi as alternate
MRWPCA Board	-	Nishi, Burns as alternate
FORA Board	-	Nishi, Burns as alternate
LAFCO	-	Moore, Nishi as alternate
JPIA Liaison	-	Burns, Lee as alternate
Executive Committee	-	Lee, Gustafson
Community Outreach	-	Lee, Gustafson
Special Districts Association	-	Gustafson, Lee as alternate
MCWD/CWD Liaison	-	Gustafson, Nishi as alternate
OCAC	-	Lee, Burns as alternate

Vice President Lee made a motion to approve the recommended committee assignments. Director Moore seconded the motion. The motion was passed.

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

- C. Consider Adoption of Resolution No. 2009-04 to Approve the Ord Community Water and Wastewater Capacity Charges for FY 2008-2009:

Mr. Heitzman introduced this item. Director Moore asked what happens if developers come in and pull a bunch of permits and meters before the increase takes place. Mr. Heitzman answered that someone has already pulled a bunch of permits and that it is good for the District.

Agenda Item 8-C (continued):

Vice President Lee made a motion to approve the Ord Community Water and Wastewater Capacity Charges for FY 2008-2009. Director Burns seconded the motion. The motion was passed.

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

9. Staff Report:

A. Receive Report of a Vacancy on the Water Conservation Commission:

Mr. Heitzman commented that one of the Commission members was deployed and now there is a vacancy that the District will advertise in local papers to fill. Director Nishi suggested the Board give a Resolution of Appreciation for the Commission member's participation on the Water Conservation Commission.

10. Informational Items:

A. General Manager's Report:

Mr. Heitzman stated he had nothing to report.

B. District Engineer's Report:

Mr. True stated that the District has a new Associate Engineer, Gary Rogers.

C. Counsel's Report:

Mr. Lowery 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:

Director Nishi stated the meeting was later this month.

4. LAFCO Liaison:

Director Moore stated the meeting was later this month.

5. JPIA Liaison:

No comments.

6. Monterey Bay Regional Water Authority:

No comments.

7. FORA:

Vice President Nishi stated that the capacity charges for MCWD were approved unanimously.

8. Executive Committee:

No comments.

9. Community Outreach:

No comments.

10. Ord Community Ad Hoc Committee:

There will be a workshop at the February Board meeting.

11. Special Districts Association Liaison:

The next meeting is in February.

E. Director's Comments:

There were no comments.

President Gustafson recessed the meeting from 7:31 to 7:36 p.m.

The Board reentered into closed session at 7:36 p.m.

3. Closed Session:

- D. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator (General Manager, Legal Counsel)
Property: General Jim Moore Blvd. Pipeline
Negotiating Parties: MCWD and California American Water Company
Under Negotiation: Price and Terms

4. Possible Action on Closed Session Items:

President Gustafson stated no action was taken and direction was given.

General Manager's Comments:

Mr. Heitzman stated that the Monterey Regional Water Pollution Control Agency sent a letter to the District wanting to reconvene negotiations.

11. Adjournment:

The meeting was adjourned at 8:15 p.m.

APPROVED:

Howard Gustafson, President

ATTEST:

Jim Heitzman, General Manager