



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

TEL: (831) 384-6131 FAX: (831) 883-5995

DIRECTORS
WILLIAM Y. LEE
President

DAN BURNS
Vice President

HOWARD GUSTAFSON
KENNETH K. NISHI
JAN SHRINER

AMENDED 5-6-2011

Dual Locations

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California
and

Delta King Hotel, 1000 Front Street, Sacramento, California
Tuesday, May 10, 2011, 6:45 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors now meets regularly on the second Tuesday of each month. The meetings normally begin at 6:45 p.m. at the District offices at 11 Reservation Road, Marina, California.

Mission: Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.

Vision: The Marina Coast Water District will be the leading public supplier of integrated water and wastewater services in the Monterey Bay Region.

1. Call to Order

2. Roll Call

3. Closed Session

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9)

Ag Land Trust v. Marina Coast Water District and Does 1-100, Monterey County Superior Court Case No. M105019 (First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief)

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at the District office at 11 Reservation Road, Marina, 72 hours prior to the meeting. Copies will also be available at the Board meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, May 5, 2011 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Board Clerk at: 831-883-5910. The next regular meeting of the Board of Directors is scheduled for June 14, 2011.

- B. Pursuant to Government Code Section 54956.9
Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9
1 – Case
- C. Pursuant to Government Code Section 54957.6
Conference with Labor Negotiators
Agency designated representatives: William Lee and Dan Burns
Unrepresented employee: General Manager
- D. Pursuant to Government Code Section 54956.8
Conference with Real Property Negotiator
Property: Water Rights
Negotiating Parties: Marina Coast Water District and
Monterey Peninsula Water Management District
Under Negotiation: Terms and Conditions

7:00 p.m. Reconvene Open Session

4. Possible Action on Closed Session Items *The Board will report out on any action taken during Closed Session, and may take additional action in Open Session, as appropriate. Any closed session items not completed will be discussed at the end of the meeting.*

5. Pledge of Allegiance

6. Oral Communications *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to three minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

7. Presentation

- A. Consider Adoption of Resolution No. 2011-30 in Recognition of Public Member, Mr. Richard Newhouse, for his Dedicated Service to the MCWD as a Member on the Water Conservation Commission

8. Public Hearing

- A. Receive Public Comment on the Draft 2010 Urban Water Management Plan

9. Consent Calendar *Board approval can be taken with a single motion and vote. A Board member or member of the public may request that any item be pulled from the Consent Calendar for separate consideration at this meeting or a subsequent meeting. The public may address the Board on any Consent Calendar item. Please limit your comment to three minutes.*

- A. Approve the Draft Summer 2011 Newsletter
- B. Receive the Quarterly Financial Statements for January 1, 2011 to March 31, 2011

- C. Approve the Expenditures for the Month of April 2011
- D. Approve the Draft Minutes of the Special Board Meeting of February 22, 2011
- E. Approve the Draft Minutes of the Special Board Meeting of March 29, 2011
- F. Approve the Draft Minutes of the Special Board Meeting of April 4, 2011
- G. Approve the Draft Minutes of the Special Board Meeting of April 8, 2011
- H. Approve the Draft Minutes of the Regular Board Meeting of April 12, 2011

10. Action Items *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to three minutes.*

- A. Consider Second Reading of Ordinance No. 54 Approving New District Rates, Fees & Charges for Marina Water and Wastewater

Action: The Board of Directors is asked to consider a second reading of Ordinance No. 54 approving new District rates, fees and charges for Marina water and wastewater. The Board of Directors will be asked to consider adopting Ordinance No. 54 on June 14, 2011 following a Prop. 218 process and public hearing.

- B. Consider Adoption of Resolution No. 2011-31 to Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Watkins Gate Well and Pipeline/Eastern Distribution System Project

Action: The Board of Directors is requested to adopt the Initial Study/Mitigated Negative Declaration for the Watkins Gate and Pipeline Project/Eastern Distribution System Project and Adopt Mitigation Monitoring and Reporting Program.

- C. Consider Adoption of Resolution No. 2011-32 to Approve an Amendment to the Professional Services Agreement with Luhdorff & Scalmanini Consulting Engineers for the Eastern Distribution System Watkins Gate Well Installation for a Not-To-Exceed Amount of \$36,500

Action: The Board of Directors is requested to approve an amendment to the Professional Services Agreement with Luhdorff & Scalmanini Consulting Engineers for the Eastern Distribution System Watkins Gate Well Installation for a Not-To-Exceed Amount of \$36,500.

- D. Consider Adoption of Resolution No. 2011-33 to Approve an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for Engineering Services Related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation for a Not-To-Exceed Amount of \$167,100

Action: The Board of Directors is requested to approve an amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for engineering services related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation for a Not-To-Exceed Amount of \$167,100.

- E. Consider Adoption of Resolution No. 2011-34 to Authorize the General Manager and/or Deputy General Manager/District Engineer to Sign a Memorandum of Understanding and License Agreement with UCP-East Garrison, LLC for Temporary Access to the Watkins Gate Well and Pipeline Project Site

Action: The Board of Directors is requested to authorize the General Manager and/or Deputy General Manager/District Engineer to sign a Memorandum of Understanding and License Agreement with UCP-East Garrison, LLC for temporary access to the site for Watkins Gate Well and Pipeline/Eastern Distribution System Project.

- F. Consider Revisiting the Director Appointment as Ex-Officio Member to the Fort Ord Reuse Authority Board of Directors

Action: The Board of Directors is requested to consider revisiting the Director appointment to the Fort Ord Reuse Authority Board of Directors as an ex-officio member.

11. Staff Report

- A. 1st Quarter 2011 Ord Community Water Consumption and Sewer Flow Report
- B. Information on Water Conservation Commission Membership

12. Workshop

- A. Review Board Procedures Manual

13. Informational Items *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to three minutes.*

- A. General Manager's Report
- B. District Engineer's Report

C. Counsel's Report –

- Legal Opinion on Brown Act Rules for Closed Session Items
- Legal Opinion on Advise Concerning Toro Area

D. Committee and Board Liaison Reports

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| 1. Water Conservation Commission | 7. JPIA Liaison |
| 2. Joint City-District Committee | 8. FORA |
| 3. Budget and Personnel Committee | 9. CalDesal |
| 4. MRWPCA Board Member | 10. Executive Committee |
| 5. Special Districts Association Liaison | 11. Community Outreach |
| 6. LAFCO Liaison | 12. Regional Desalination Reports |

E. Director's Comments

14. Adjournment *Set or Announce Next Meeting(s), date(s), time(s), and location(s):*

*Special Joint Meeting: Friday, June 10, 2011, 3:00 p.m.,
933 2nd Avenue, Marina*

*Regular Meeting: Tuesday, June 14, 2011, 6:45 p.m.,
11 Reservation Road, Marina*