



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: [www.mcwd.org](http://www.mcwd.org)

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**DIRECTORS**  
WILLIAM Y. LEE  
*President*

DAN BURNS  
*Vice President*

HOWARD GUSTAFSON  
KENNETH K. NISHI  
JAN SHRINER

## Agenda

### Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California  
Tuesday, November 8, 2011, 6:45 p.m. PST

*This meeting has been noticed according to the Brown Act rules. The Board of Directors 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)

##### B. Pursuant to Government Code Section 54956.95

Liability Claims

Claimant: Ausonio Incorporated

Agency Claimed Against: Marina Coast Water District

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, November 3, 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 December 13, 2011.

- C. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Subdivision (b)  
One Case

A letter dated June 21, 2011, from the Monterey County Board of Supervisors transmitted a “Summary of Preliminary Findings Regarding Director Stephen Collins’ Business Relationship With RMC Water and Environment and Marina Coast Water District.” The Summary, prepared by Remcho, Johansen & Purcell, LLP, states that certain conduct raises questions about the validity of contracts to which Marina Coast Water District is a party. Based on the statements in the Remcho Summary, and based on reports in the news media, a point has been reached where, in the opinion of the MCWD Board based on the advice of its legal counsel, there is a significant exposure to litigation against MCWD.

- D. Pursuant to Government Code Section 54959.9  
Conference with Legal Counsel – Anticipated Litigation  
Potential Initiation of Litigation (c)  
One Case
- E. Pursuant to Government Code Section 54957  
Public Employee Performance Evaluation  
Title: District Counsel

## **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. 2011-79 in Recognition of Rene Magdaleno, System Operator I, for 5 Years of Service to the Marina Coast Water District

**8. 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. Consider Re-Appointment of Dan Amadeo as Public Member to the Water Conservation Commission

- B. Adopt Resolution No. 2011-80 to Approve and Authorize Acceptance and Consent for Recordation Grant of Waterline Easements for the Watkins Gate Well and Pipeline Project from the County of Monterey
- C. Receive the Quarterly Financial Statements for April 1, 2011 to June 30, 2011
- D. Approve the Expenditures for the Month of October 2011
- E. Approve the Draft Minutes of the Special Board Meeting of September 30, 2011
- F. Approve the Draft Minutes of the Regular Board Meeting of October 11, 2011

**9. 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 Adoption of Resolution No. 2011-81 to Approve the 2011/2012 District Investment Policy

*Action: The Board of Directors will consider approving the 2011/2012 District Investment Policy. This policy is scheduled to be reviewed and approved on an annual basis.*

- B. Consider Adoption of Resolution No. 2011-82 to Approve an Amendment to the Professional Services Agreement with The Paul Davis Partnership for the Imjin Office Park Building C, Suite B

*Action: The Board of Directors will consider approving an amendment to the Professional Services Agreement with The Paul Davis Partnership for the Imjin Office Park Building C, Suite B.*

- C. Consider Directing Staff to Draft a Request for Proposals for District Legal Services

*Action: The Board of Directors will consider providing staff direction to draft a Request for Proposals for District legal services.*

- D. Consider Providing Direction to Staff on Proposed District Reorganization and Job Classifications

*Action: The Board of Directors will consider providing direction to staff regarding reorganization of the District departments and employee positions.*

- E. Consider Adoption of Resolution No. 2011-83 to Amend the Board Procedures Manual

*Action: The Board of Directors will consider amending the Board Procedures Manual by adding a new section to address any violations of the policy.*

- F. Consider Appointing Alternate Members to the Budget and Personnel and Executive Committees

*Action: The Board of Directors will consider appointing alternate members to the Budget and Personnel and Executive Committees to cover instances when a primary member is unavailable to attend meetings.*

## **10. Staff Report**

- A. Receive a Verbal Update on the Formation of the Operations and Maintenance Committee for the Regional Desalination Project
- B. Receive an Update on the Monthly Water Meter Charge for Upsized Meters Due to Fire Protection Sprinkler Systems
- C. Receive 3<sup>rd</sup> Quarter 2011 Ord Community Quarterly Water Consumption and Sewer Flow Report

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

**12. Director's Comments**

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

*Regular Meeting:                      Tuesday, December 13, 2011, 6:45 p.m.,  
11 Reservation Road, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 7-A

Meeting Date: November 8, 2011

Submitted By: James Derbin

Presented By: Jim Heitzman

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2011-79 in Recognition of Rene Magdaleno, System Operator I, for 5 Years of Service to the Marina Coast Water District

Detailed Description: The Board is requested to adopt a resolution approving a plaque and gift certificate to Rene Magdaleno, System Operator I, who has reached his five year anniversary with the District.

Rene began his tenure with the District on October 16, 2006 as a Meter Reader. In this position, Rene was often complimented by District customers for his willingness to explain how the customer's water meter works and the resulting billing. Rene was also successful in discovering several unbilled accounts, one of which was a meter feeding one of the BRAC cleanup sites which resulted in the first monthly billed amount of \$5,000.

Following four years of successful meter reading, Rene was promoted to System Operator I on June 3, 2011. His new responsibilities include operation and maintenance of the water and wastewater systems serving Central Marina and the former Fort Ord. Rene is off to a strong start and is quickly learning his new responsibilities as a System Operator I. He recently earned his California Department of Public Health Treatment I and Distribution I certifications.

Rene is always courteous and willing to take the time to help his co-workers. He is a dedicated and loyal employee who is well-respected and admired by his fellow employees, and District customers.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Financial Impact:  Yes  No

Funding Source/Recap: Hospitality Account for all Cost Centers.

Material Included for Information/Consideration: Resolution No. 2011-79.

Staff Recommendation: The Board of Directors adopt Resolution No. 2011-79 recognizing Rene Magdaleno and awarding a plaque and gift certificate for his 5-years of service.

Action Required:  Resolution  Motion  Review  
(Roll call vote is required.)

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

November 8, 2011

Resolution No. 2011-79  
Resolution of the Board of Directors  
Marina Coast Water District  
Recognizing Mr. Rene Magdaleno, System Operator I,  
For 5-Years of Service to MCWD

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 8, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Rene Magdaleno joined the District on October 16, 2006; and,

WHEREAS, Rene was originally hired as a Meter Reader and has since been promoted to System Operator I on June 3, 2011; and,

WHEREAS, Rene is a conscientious employee and always available to help his co-workers and District customers; and,

WHEREAS, Rene has earned his Grade I Treatment and Grade I Distribution certifications with The California Department of Public Health; and,

WHEREAS, Rene is a dedicated and loyal employee who is well-respected and admired by his fellow employees and District customers.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby express its gratitude and recognizes Rene Magdaleno for five years of service to the Marina Coast Water District, presents him with a plaque and gift certificate, and wishes him continued success with the District.

PASSED AND ADOPTED on November 8, 2011 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

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William Y. Lee, President



ATTEST:

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Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2011-79 adopted November 8, 2011.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: November 8, 2011

Submitted By: Paula Riso

Presented By: Paula Riso

Reviewed By: Carl Niizawa

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Consider Re-appointment of Dan Amadeo as Public Member to the Water Conservation Commission
- B) Adopt Resolution No. 2011-80 to Approve and Authorize Acceptance and Consent for Recordation Grant of Waterline Easements for the Watkins Gate Well and Pipeline Project from the County of Monterey
- C) Receive the Quarterly Financial Statements for April 1, 2011 – June 30, 2011
- D) Approve the Expenditures for the Month of October 2011
- E) Approve the Draft Minutes of the Special Board Meeting of September 30, 2011
- F) Approve the Draft Minutes of the Regular Board Meeting of October 11, 2011

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *Mission Statement - 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.*

Financial Impact:     \_\_\_\_\_Yes     \_\_\_\_\_No

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

Staff Recommendation: The Board of Directors approve the Consent Calendar as presented.

Action Required:     \_\_\_\_\_Resolution       X   Motion     \_\_\_\_\_Review  
(Roll call vote is required.)

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: November 8, 2011

Submitted By: Brian True

Presented By: Brian True

Reviewed By: Carl Niizawa

Agenda Title: Consider Re-appointment of Dan Amadeo as Public Member to the Water Conservation Commission

Detailed Description: The board is requested to consider Mr. Dan Amadeo for re-appointment to the Water Conservation Commission. Mr. Amadeo has served as a public member on the Commission since November 2009 and is the current Vice-Chairman. As his two-year term is about to expire, Mr. Amadeo submitted an application to be re-appointed. If re-appointed, he would serve for another term of two years.

The current appointments are as follows:

Board of Directors Member (1):	Bill Lee, Dan Burns (alternate)
City of Marina Council Member (1):	Jim Ford
Public Members (5):	Dan Amadeo
	Harold Krotzer
	Ruth Krotzer
	Vacant
	Vacant
CSUMB Member (1)	Vacant
Army Member (1):	Vacant

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Water Conservation Commission reviewed Mr. Dan Amadeo's application for re-appointment at its November 3, 2011 meeting and recommends re-appointment.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_Yes   \_\_\_**X**\_\_\_No

Funding Source/Recap:     None.

Material Included for Information/Consideration: Application for re-appointment to the Water Conservation Commission by Mr. Dan Amadeo.

Staff Recommendation: Staff recommends that the Board of Directors re-appoint Mr. Dan Amadeo to Water Conservation Commission.

Action Required:     \_\_\_\_\_Resolution       X  Motion     \_\_\_\_\_Review

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Board Action

\_\_\_\_\_Resolution No\_\_\_\_\_     Motion By\_\_\_\_\_     Seconded By\_\_\_\_\_

Ayes\_\_\_\_\_     Abstained\_\_\_\_\_

Noes\_\_\_\_\_     Absent\_\_\_\_\_

Reagendized\_\_\_\_\_     Date\_\_\_\_\_     No Action Taken\_\_\_\_\_

# Candidate for Public Service Appointment Marina Coast Water District

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Name of Committee/Commission you are applying for: Water Conservation Commission

Name: Dan Amadeo

Address: 3283 Cove Way, Marina CA 93933

Home Phone: 384-5486 Business Phone: 236-2234 Years of Residence in Marina: 24

Business Affiliation: Title: Retired

Business Address: NA

Educational Background: BA University of Santa Clara; US Army Command and General Staff College

Occupational Experience: Logistics and Transportation Management (US Army, Federal Express, McCormick & Co, Dole Fresh Vegetables)

Membership in Professional or Technical Organizations: APICS CPIM certified in Production and Inventory Management

Civic or Community Experience, Memberships or Previous Public Service Appointments: Two years MCWD Water Conservation Commission, Marina in Motion; American Legion; Citizens Advisory Board, Monterey County Herald; frequent attendance and participation in Marina City Council, Planning Commission, and Public Works Commission meetings. Occasional volunteer work for the Marina Rotary and Festival of the Winds. Grant Administrator for the US EPA public outreach program for the former Fort Ord super fund site. Treasurer Marina 35th Anniversary Committee, Organizer Marina Labor Day Parade Fundraiser

Experience or Special Knowledge Pertaining to Area of Interest: Landscape and gardening hobbyist, Technical training in temporary pipeline layout, use of mobile ROWPUs. Familiarity with common sense approaches to water conservation in home and landscaping use. 2years service on the MCWD WCC.

Signature 

Date: September 27, 2011

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: November 8, 2011

Submitted By: Patrick Breen

Presented By: Patrick Breen

Reviewed By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2011-80 to Approve and Authorize Acceptance and Consent for Recordation Grant of Waterline Easements for the Watkins Gate Well and Pipeline Project from the County of Monterey

Detailed Description: The Board of Directors is requested to approve the acceptance and provide consent to record from the Redevelopment Agency of the County of Monterey to the Marina Coast Water District "Grant of Non-Exclusive Easement for Waterline Purposes" and "Grant of Non-Exclusive Easement for Waterline Purposes, and Temporary Construction Easement" approved by the Board of Directors of the Redevelopment Agency of the County of Monterey on October 11, 2011.

These easements are necessary in order to install and construct a distribution waterline to connect the future Marina Coast Water District Watkins Gate Well. The easements are in the former East Garrison of the former Fort Ord, more specifically near what is known as the "ASP" (Ammo Supply Point) Building.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Resolution No. 2011-70 the Board Authorized the General Manager/Deputy General Manager/District Engineer to Sign a Purchaser and Seller Agreement with the Union Community Partners-East Garrison, LLC for the Construction of Watkins Gate Well and Pipeline. Resolution No. 2011-31, the Board Adopted the Initial Study/Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program for the Watkins Gate and Pipeline/Eastern Distribution Project; Resolution No. 2011-34, the Board Authorized the General Manager and/or Deputy General Manager/District Engineer to Sign a License and Indemnity Agreement with Union Community Partners-East Garrison, LLC for Temporary Access to the Watkins Gate Well and Pipeline Project Site.

Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: \_\_\_\_\_ Yes        X   No

Funding Source/Recap: None

Material Included for Information/Consideration: Resolution No. 2011-80.





November 8, 2011

Resolution No. 2011-80  
Resolution of the Board of Directors  
Marina Coast Water District

Approve and Authorize Acceptance and Consent for Recordation Grant of Waterline Easements  
for the Watkins Gate Well and Pipeline Project from the  
Redevelopment Agency of the County of Monterey

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 8, 2011, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, an additional replacement municipal well is desired by the District; and,

WHEREAS, in Resolution No. 2011-31, the Board adopted the Initial Study/Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program for the Watkins Gate Well and Pipeline/Eastern Distribution Project; and,

WHEREAS, in Resolution No. 2011-70, the Board authorized the General Manager and/or Deputy General Manager/District Engineer to sign an Agreement of Purchase and Sale with Union Community Partners-East Garrison, LLC for the permanent construction/access of Watkins Gate Well and Pipeline Site; and,

WHEREAS, the Redevelopment Agency of the County of Monterey approved and authorized their Chair to sign: a) A Grant of Waterline Easement (A-12120) over a portion of APN 031-161-010 (“East Garrison II”); and, b) A Grant of Waterline Easement (A-12121) and Temporary Construction Easement over a portion of APN 031-161-023 (“East Garrison Parcel D”) to the Marina Coast Water District in conjunction with the District’s development of the Watkins Gate Well and Pipeline Project on the former Fort Ord.

NOW, THEREFORE, BE IT RESOLVED THAT, that the Board of Directors of the Marina Coast Water District does hereby approve and authorize Acceptance and Consent for Recordation for: a) A Grant of Waterline Easement (A-12120) over a portion of APN 031-161-010 (“East Garrison II”); and, b) A Grant of Waterline Easement (A-12121) and Temporary Construction Easement over a portion of APN 031-161-023 (“East Garrison Parcel D”) to the Marina Coast Water District in conjunction with the District’s development of the Watkins Gate Well and Pipeline Project on the former Fort Ord.

PASSED AND ADOPTED on November 8, 2011, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
William Y. Lee, President

ATTEST:

\_\_\_\_\_  
Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true, and correct copy of Resolution No. 2011-80, adopted November 8, 2011.

\_\_\_\_\_  
Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: November 8, 2011

Submitted By: Kelly Cadiente  
Reviewed By: Carl Niizawa

Presented By: Kelly Cadiente

Agenda Title: Receive the Quarterly Financial Statements for April 1, 2011 to June 30, 2011

Detailed Description: All figures reported for the quarter are based on accrual basis accounting. The District's consolidated financial statement for the quarter includes revenues of \$2.655 million and expenses of \$2.635 million, resulting in net gain from operations of \$0.019 million. The District budget projected net gain from operations of \$0.790 million for the same period. The net gain from operations was lower than the budget expectation by \$0.770 million due to 2010 Refunding Bonds interest expense paid in May, 2011.

Summary of Cost Centers:

<b>Description</b>	<b>Actual Qtr</b>	<b>Budget Qtr</b>	<b>Actual FYTD</b>	<b>Budget FYTD</b>
<b>Marina Water</b>				
Revenues	887,313	1,174,725	3,725,708	3,978,900
Expenses	768,282	611,828	2,351,733	2,447,312
Net Gain	119,031	260,897	1,373,975	1,531,588
<b>Marina Sewer</b>				
Revenues	185,286	188,600	740,256	754,400
Expenses	236,647	128,018	797,330	512,071
Net Gain	(51,360)	60,582	(57,074)	242,329
<b>Ord Community Water</b>				
Revenues	1,149,113	1,240,375	4,434,199	4,547,500
Expenses	1,232,740	1,136,283	4,415,276	4,545,131
Net Gain	(83,627)	104,092	18,923	2,369
<b>Ord Community Sewer</b>				
Revenues	427,067	439,950	1,699,993	1,759,800
Expenses	348,487	275,162	1,211,219	1,100,650
Net Gain	78,500	164,788	488,774	659,150
<b>Recycled Water Project</b>				
Revenues	6,637	2,075	34,859	8,300
Expenses	49,479	104,336	400,979	417,344
Net Loss	(42,842)	(102,261)	(366,120)	(409,044)
<b>Consolidated Cost Centers</b>				
Revenues	<b>2,655,416</b>	3,045,725	10,635,014	11,048,900
Expenses	<b>2,635,635</b>	2,255,627	9,176,537	9,022,507
Net Gain	<b>19,781</b>	790,098	1,458,478	2,026,393

As of June 30, 2011, the District had \$18.418 million in liquid investments, and \$0.474 million of principal as internal loans to the Ord Community Cost Centers payable to the Marina Cost Centers. The District also had \$2.340 million of bond proceeds for construction purposes, \$3.084 of 2006 bond proceeds and \$0.849 of Armstrong Ranch Refunding bond proceeds for debt reserve purposes in the bank. The District owed \$38.925 million in debt for the 2006 revenue certificates of participation bond, \$7.690 million in Armstrong Ranch Refunding Bond, \$0.413 million for CalPERS loan, \$0.085 in FORA Promissory Note and \$0.983 for IOP Construction Loan.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact: \_\_\_\_\_Yes      X  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Quarterly Financial Statements, Investments and Debt Summary Statements.

Staff Recommendation: The Board receive the Quarterly Financial Statements for April 1, 2011 to June 30, 2011.

Action Required: \_\_\_\_\_Resolution    \_\_\_\_\_Motion      X  Review

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Board Action

\_\_\_\_\_Resolution No\_\_\_\_\_    Motion By\_\_\_\_\_    Seconded By\_\_\_\_\_

Ayes\_\_\_\_\_    Abstained\_\_\_\_\_

Noes\_\_\_\_\_    Absent\_\_\_\_\_

Reagendized\_\_\_\_\_    Date\_\_\_\_\_    No Action Taken\_\_\_\_\_

MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

CONSOLIDATED

	CURRENT QUARTER		YEAR-TO-DATE	
	2010/2011	2009/2010	2010/2011	2009/2010
<b>REVENUES</b>				
WATER SALES	1,962,586	1,562,993	7,848,753	5,612,916
SEWER SALES	594,213	550,243	2,354,014	1,610,323
INTEREST INCOME	51,562	71,606	236,314	250,048
OTHER REVENUE	47,055	286,065	195,934	561,149
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TOTAL REVENUES	2,655,416	2,470,907	10,635,014	8,034,436
<b>EXPENSES</b>				
ADMINISTRATIVE	668,618	426,684	2,084,634	1,393,896
OPERATING & MAINTENANCE	818,973	600,313	2,992,425	1,897,799
LABORATORY	101,279	76,606	371,573	229,532
CONSERVATION	93,686	74,613	310,165	196,694
ENGINEERING	232,135	254,859	848,344	624,724
INTEREST EXPENSE	662,519	419,605	2,310,404	967,765
FRANCHISE FEE	58,424	50,308	258,991	184,048
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TOTAL EXPENSES	2,635,635	1,902,988	9,176,537	5,494,458
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NET GAIN/(LOSS) FROM OPERATIONS	19,781	567,919	1,458,478	2,539,978
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CAPACITY FEE/CAPITAL SURCHARGE	101,596	105,046	641,592	634,576
GRANT REVENUE	659,977	22,718	783,326	33,243
NON_OPERATING REVENUE	-	1,093,789	3,264,297	2,800,172
CAPITAL IMPROVEMENT PROJECT	4,717,258	451,047	9,616,631	1,425,622

MARINA COAST WATER DISTRICT  
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

CONSOLIDATED

	MW FUND		MS FUND		OW FUND		OS FUND		RW FUND		RP FUND		CONSOLIDATED		CONSOLIDATED (YTD)	
	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
<b>REVENUES</b>																
WATER SALES	861,064	1,149,250	-	-	1,101,522	1,204,250	-	-	-	-	-	-	1,962,586	2,353,500	7,848,753	8,261,000
SEWER SALES	-	-	181,165	181,500	-	-	413,049	428,750	-	-	-	-	594,213	610,250	2,354,014	2,441,000
INTEREST INCOME	10,947	16,000	3,034	6,250	20,554	22,500	10,390	6,750	6,637	1,250	-	-	51,562	52,750	236,314	211,000
OTHER REVENUE	15,302	9,475	1,088	850	27,036	13,625	3,628	4,450	-	825	-	-	47,055	29,225	195,934	135,900
<b>TOTAL REVENUES</b>	<b>887,313</b>	<b>1,174,725</b>	<b>185,286</b>	<b>188,600</b>	<b>1,149,113</b>	<b>1,240,375</b>	<b>427,067</b>	<b>439,950</b>	<b>6,637</b>	<b>2,075</b>	<b>-</b>	<b>-</b>	<b>2,655,416</b>	<b>3,045,725</b>	<b>10,635,014</b>	<b>11,048,900</b>
<b>EXPENSES</b>																
ADMINISTRATIVE	197,429	153,487	53,040	43,583	334,647	289,162	83,502	76,142	-	-	-	-	668,618	562,375	2,084,634	2,249,500
OPERATING & MAINTENANCE	299,123	253,470	56,641	46,068	356,553	408,825	106,657	93,898	-	-	-	-	818,973	802,260	2,992,425	3,203,040
LABORATORY	42,537	38,571	-	-	58,743	51,842	-	-	-	-	-	-	101,279	90,414	371,573	367,655
CONSERVATION	44,294	44,221	-	-	49,393	47,530	-	-	-	-	-	-	93,686	91,750	310,165	367,002
ENGINEERING	49,065	62,979	45,208	14,693	52,969	96,473	47,955	37,697	36,937	23,086	-	-	232,135	234,927	848,344	939,710
INTEREST EXPENSE	135,835	59,100	81,757	23,675	325,204	172,450	107,181	64,425	12,542	81,250	-	-	662,519	400,900	2,310,404	1,603,600
FRANCHISE FEE	-	-	-	-	55,232	70,000	3,192	3,000	-	-	-	-	58,424	73,000	258,991	292,000
<b>TOTAL EXPENSES</b>	<b>768,282</b>	<b>611,828</b>	<b>236,647</b>	<b>128,018</b>	<b>1,232,740</b>	<b>1,136,283</b>	<b>348,487</b>	<b>275,162</b>	<b>49,479</b>	<b>104,336</b>	<b>-</b>	<b>-</b>	<b>2,635,635</b>	<b>2,255,627</b>	<b>9,176,537</b>	<b>9,022,507</b>
<b>NET GAIN/(LOSS) FROM OPERATIONS</b>	<b>119,031</b>	<b>562,897</b>	<b>(51,360)</b>	<b>60,582</b>	<b>(83,627)</b>	<b>104,092</b>	<b>78,580</b>	<b>164,788</b>	<b>(42,842)</b>	<b>(102,261)</b>	<b>-</b>	<b>-</b>	<b>19,781</b>	<b>790,098</b>	<b>1,458,478</b>	<b>2,026,393</b>
CAPACITY FEE/CAPITAL SURCHARGE	2,911	5,000	100	2,500	78,682	32,750	19,903	10,000	-	-	-	-	101,596	50,250	641,592	182,000
GRANT REVENUE	-	-	-	-	659,977	-	-	-	-	-	-	-	659,977	-	783,326	-
NON_OPERATING REVENUE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3,264,297	-
CAPITAL IMPROVEMENT PROJECT	468,862	1,056,562	96,281	118,874	1,197,385	2,735,298	165,212	508,049	58,899	8,259,726	2,730,619	558,114	4,717,258	13,236,623	9,616,631	52,946,491

MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

MARINA WATER FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
<b>REVENUES</b>				
WATER SALES	861,064	1,149,250	3,581,755	3,877,000
SEWER SALES				
INTEREST INCOME	10,947	16,000	71,171	64,000
OTHER REVENUE	15,302	9,475	72,782	37,900
	<hr/>			
TOTAL REVENUES	887,313	1,174,725	3,725,708	3,978,900
<b>EXPENSES</b>				
ADMINISTRATIVE	197,429	153,487	590,976	613,950
OPERATING & MAINTENANCE	299,123	253,470	965,995	1,013,880
LABORATORY	42,537	38,571	161,014	154,286
CONSERVATION	44,294	44,221	144,090	176,882
ENGINEERING	49,065	62,979	185,563	251,914
INTEREST EXPENSE	135,835	59,100	304,096	236,400
FRANCHISE FEE				
	<hr/>			
TOTAL EXPENSES	768,282	611,828	2,351,733	2,447,312
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	119,031	562,897	1,373,975	1,531,588
	<hr/>			
CAPACITY FEE/CAPITAL SURCHARGE	2,911	5,000	118,219	20,000
GRANT REVENUE	-	-	-	-
NON-OPERATING REVENUE	-	-	-	-
CAPITAL IMPROVEMENT PROJECT	468,862	1,056,562	993,011	4,226,246

MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

MARINA SEWER FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
REVENUES				
WATER SALES				
SEWER SALES	181,165	181,500	717,356	726,000
INTEREST INCOME	3,034	6,250	16,408	25,000
OTHER REVENUE	1,088	850	6,492	3,400
	<hr/>			
TOTAL REVENUES	185,286	188,600	740,256	754,400
EXPENSES				
ADMINISTRATIVE	53,040	43,583	155,463	174,330
OPERATING & MAINTENANCE	56,641	46,068	315,087	184,270
LABORATORY				
CONSERVATION				
ENGINEERING	45,208	14,693	156,291	58,771
INTEREST EXPENSE	81,757	23,675	170,489	94,700
FRANCHISE FEE				
	<hr/>			
TOTAL EXPENSES	236,647	128,018	797,330	512,071
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	(51,360)	60,582	(57,074)	242,329
	<hr/>			
CAPACITY FEE/CAPITAL SURCHARGE	100	2,500	34,457	10,000
GRANT REVENUE	-	-	-	-
NON-OPERATING REVENUE				
CAPITAL IMPROVEMENT PROJECT	96,281	118,874	207,911	475,496



MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

ORD COMMUNITY WATER FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
<b>REVENUES</b>				
WATER SALES	1,101,522	1,204,250	4,266,998	4,384,000
SEWER SALES				
INTEREST INCOME	20,554	22,500	89,072	90,000
OTHER REVENUE	27,036	13,625	78,129	73,500
	<hr/>			
TOTAL REVENUES	1,149,113	1,240,375	4,434,199	4,547,500
<b>EXPENSES</b>				
ADMINISTRATIVE	334,647	289,162	1,079,573	1,156,650
OPERATING & MAINTENANCE	356,553	408,825	1,369,699	1,629,300
LABORATORY	58,743	51,842	210,559	213,369
CONSERVATION	49,393	47,530	166,075	190,120
ENGINEERING	52,969	96,473	208,733	385,892
INTEREST EXPENSE	325,204	172,450	1,133,581	689,800
FRANCHISE/MEMBERSHIP FEES	55,232	70,000	247,055	280,000
	<hr/>			
TOTAL EXPENSES	1,232,740	1,136,283	4,415,276	4,545,131
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	(83,627)	104,092	18,923	2,369
	<hr/>			
CAPACITY FEE/CAPITAL SURCHARGE	78,682	32,750	429,914	112,000
GRANT REVENUE	659,977	-	783,326	-
NON-OPERATING REVENUE	-	-	350,197	-
CAPITAL IMPROVEMENT PROJECT	1,197,385	2,735,298	2,922,011	10,941,193

MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

ORD COMMUNITY SEWER FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
REVENUES				
WATER SALES				
SEWER SALES	413,049	428,750	1,636,658	1,715,000
INTEREST INCOME	10,390	6,750	46,585	27,000
OTHER REVENUE	3,628	4,450	16,750	17,800
	<hr/>			
TOTAL REVENUES	427,067	439,950	1,699,993	1,759,800
EXPENSES				
ADMINISTRATIVE	83,502	76,142	258,537	304,570
OPERATING & MAINTENANCE	106,657	93,898	341,645	375,590
LABORATORY				
CONSERVATION				
ENGINEERING	47,955	37,697	166,528	150,790
INTEREST EXPENSE	107,181	64,425	432,573	257,700
FRANCHISE FEE	3,192	3,000	11,936	12,000
	<hr/>			
TOTAL EXPENSES	348,487	275,162	1,211,219	1,100,650
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	78,580	164,788	488,774	659,150
	<hr/>			
CAPACITY FEE/CAPITAL SURCHARGE	19,903	10,000	59,002	40,000
GRANT REVENUE	-	-	-	-
NON-OPERATING REVENUE	-	-	-	-
CAPITAL IMPROVEMENT PROJECT	165,212	508,049	372,963	2,032,196

MARINA COAST WATER DISTRICT  
INCOME STATEMENT  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

RECYCLED WATER FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
REVENUES				
WATER SALES				
SEWER SALES				
INTEREST INCOME	6,637	1,250	13,079	5,000
OTHER REVENUE	-	825	21,780	3,300
	<hr/>			
TOTAL REVENUES	6,637	2,075	34,859	8,300
EXPENSES				
ADMINISTRATIVE	-	-	85	-
OPERATING & MAINTENANCE	-	-	-	-
LABORATORY				
CONSERVATION				
ENGINEERING	36,937	23,086	131,229	92,344
INTEREST EXPENSE	12,542	81,250	269,665	325,000
FRANCHISE FEE				
	<hr/>			
TOTAL EXPENSES	49,479	104,336	400,979	417,344
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	(42,842)	(102,261)	(366,120)	(409,044)
	<hr/>			
CAPACITY FEE/CAPITAL SURCHARGE	-	-	-	-
GRANT REVENUE	-	-	-	-
NON-OPERATING REVENUE	-	-	471,485	-
CAPITAL IMPROVEMENT PROJECT	58,899	8,259,726	213,900	33,038,904

MARINA COAST WATER DISTRICT  
 INCOME STATEMENT  
 APRIL 1, 2011 TO JUNE 30, 2011  
 (UNAUDITED)

REGIONAL PROJECT FUND

	CURRENT QUARTER		YEAR-TO-DATE	
	ACTUAL	BUDGET	ACTUAL	BUDGET
REVENUES				
WATER SALES				
SEWER SALES				
INTEREST INCOME				
OTHER REVENUE				
	<hr/>			
TOTAL REVENUES	-	-	-	-
EXPENSES				
ADMINISTRATIVE	-	-	-	-
OPERATING & MAINTENANCE				
LABORATORY				
CONSERVATION				
ENGINEERING	-	-	-	-
INTEREST EXPENSE				
FRANCHISE FEE				
	<hr/>			
TOTAL EXPENSES	-	-	-	-
	<hr/>			
NET GAIN/(LOSS) FROM OPERATIONS	-	-	-	-
	<hr/> <hr/>			
CAPACITY FEE/CAPITAL SURCHARGE				
GRANT REVENUE				
NON-OPERATING REVENUE	-	-	2,442,614	-
CAPITAL IMPROVEMENT PROJECT	2,730,619	558,114	4,906,834	2,232,456

MARINA COAST WATER DISTRICT  
SCHEDULE OF INVESTMENTS SUMMARY  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

PURCHASE DATE	MATURITY DATE	ACCT TYPE	YIELD APR	3/31/2011 BALANCE	QUARTERLY ACTIVITIES		6/30/2011 BALANCE
					TRANSACTION TYPE	AMOUNT	
LAIF ACCOUNT			0.51%	12,812,788	INTEREST 04/15/2011	16,029	12,828,817
SAVINGS ACCOUNT			MM	3,323,885	INTEREST 04/01/11 - 06/30/11	5,160	3,329,045
					XFR TO CHECKING A/C	(1,600,000)	1,729,045
					XFR FM CHECKING A/C	-	1,729,045
CPFCA DEPOSIT ACCOUNT			MM	100,019	INTEREST 04/01/11 - 06/30/11	32	100,051
CD ACCOUNT							
12/5/2010	12/5/2011	CD #1	0.55%	85,977	INTEREST 03/01/11 - 06/03/11	121	86,098
8/20/2010	2/21/2012	CD #2	0.50%	228,466	INTEREST 03/01/11 - 06/03/11	292	228,758
12/1/2010	12/1/2011	CD IOP	0.55%	3,280,505	INTEREST 04/01/11 - 06/30/11	6,118	3,286,623
CHECKING ACCOUNT			CK	(232,528)	QUARTERLY DEPOSITS & CREDITS	8,206,264	7,973,736
					QUARTERLY CHECKS	(9,415,314)	(1,441,578)
					XFR FM SAVINGS A/C	1,600,000	158,422
					XFR TO SAVINGS A/C	-	158,422
INTERNAL LOAN RECEIVABLE							
ORD WATER LOAN			PRINCIPAL	299,394			
ORD SEWER LOAN			PRINCIPAL	174,331			
(Loan are scheduled to be recovered from Ord Community Cost Centers on a 10 year amortization period.)							

SUMMARY	Current Quarter		RESERVES DETAIL (LAIF ACCOUNT)	Current Quarter	
	2009/2010	2010/2011		2009/2010	2010/2011
LAIF ACCOUNT	16,027,777	12,828,817	MW CAP REPL RESERVE FUND	694,091	898,575
SAVINGS ACCOUNT	163,753	1,729,045	MW CAPACITY REVENUE FUND	310,141	414,201
CPFCA DEPOSIT ACCOUNT	-	100,051	MW GEN OP RESERVE	5,832,027	4,574,619
CD #1 ACCOUNT	85,729	86,098	MS CAP REPL RESERVE FUND	318,429	420,518
CD #2 ACCOUNT	227,757	228,758	MS CAPACITY REVENUE FUND	327,174	344,399
CD IOP	-	3,286,623	MS GEN OP RESERVE	1,033,630	693,263
CHECKING ACCOUNT	1,162,935	158,422	OW CAP REPL RESERVE FUND	407,936	610,892
			OW CAPITAL/CAPACITY REVENUE FUND	1,233,519	1,478,087
			OW GEN OP RESERVE	3,016,721	918,961
			OS CAP REPL RESERVE FUND	203,968	305,446
			OS CAPITAL/CAPACITY REVENUE FUND	213,803	117,481
			OS GEN OP RESERVE	2,436,338	2,052,275
<b>TOTAL INVESTMENT</b>	<b>17,667,951</b>	<b>18,417,814</b>	<b>TOTAL</b>	<b>16,027,777</b>	<b>12,828,717</b>

MARINA COAST WATER DISTRICT  
 SCHEDULE OF INVESTMENTS SUMMARY - BOND PROCEEDS  
 APRIL 1, 2011 TO JUNE 30, 2011  
 (UNAUDITED)

PURCHASE DATE	MATURITY DATE	ACCT TYPE	YIELD APR	3/31/2011 BALANCE	QUARTERLY ACTIVITIES		6/30/2011 BALANCE
					TRANSACTION TYPE	AMOUNT	
RESERVE FUND 2006 BOND		GIC	4.95%	3,084,250	INTEREST APPLIED TO DEBT SERVICE		3,084,250 3,084,250
RESERVE FUND 2010 REFUNDING BOND		TFUND	0.01%	849,500	INTEREST APPLIED TO DEBT SERVICE		849,500 849,500
CONSTRUCTION FUND		MM	0.67%	2,336,695	INTEREST 06/30/2011	3,879	2,340,574 2,340,574

MARINA COAST WATER DISTRICT  
SCHEDULE OF DEBT SUMMARY  
APRIL 1, 2011 TO JUNE 30, 2011  
(UNAUDITED)

PRINCIPAL AMOUNT	FIRST PAYMENT	FINAL PAYMENT	RATE	3/31/2011 BALANCE	QUARTERLY ACTIVITIES TRANSACTION TYPE	AMOUNT	6/30/2011 BALANCE
<b>RABO BANK - CALPERS LOAN</b>							
901,077	05/26/2005	04/26/2015	6.495%	436,829	PAYMENT	(23,674)	413,155
PAYMENT DUE MONTHLY							
<b>RABO BANK - IOP CONSTRUCTION LOAN</b>							
983,487	12/31/2010	05/31/2012	2.050%	983,487			983,487
INTEREST ONLY PAYMENT							
<b>SERIES 2006 BOND - CLOSING DATE 08/23/2006</b>							
42,310,000	06/01/2007	06/01/2037	4.795%	39,785,000	PAYMENT		38,925,000
NEXT PMT DUE 12/01/2011 \$925,969							
<b>FORA PROMISSORY NOTE - CLOSING DATE 06/24/2009</b>							
134,408	07/01/2009	03/30/2014	0.000%	91,964	PAYMENT	(7,074)	84,890
PAYMENT DUE MONTHLY							
<b>2010 REFUNDING BOND - CLOSING DATE 12/23/2010</b>							
8,495,000	06/01/2011	06/01/2020		8,495,000			7,690,000
NEXT PMT DUE 12/01/2011 \$341,650							

**SUMMARY**

RABOBANK - CALPERS LOAN	413,155
RABOBANK - IOP CONSTRUCTION LOAN	983,487
SERIES 2006 BOND	38,925,000
FORA PROMISSORY NOTE	84,890
2010 REFUNDING BOND	7,690,000
<b>TOTAL DEBT</b>	<b>48,096,532</b>

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: November 8, 2011

Submitted By: Kelly Cadiente  
Reviewed By: Carl Niizawa

Presented By: Kelly Cadiente

Agenda Title: Approve the Expenditures for the Month of October 2011

Detailed Description: The Board of Directors is requested to approve the attached October 2011 check register for expenditures totaling \$1,664,776.61.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact:     \_\_\_ Yes     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: Expenditures are allocated across the six cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04- Ord Sewer, 05-Recycled Water, 06-Regional Water.

Material Included for Information/Consideration: October 2011 Summary Check Register.

Staff Recommendation: The Board of Directors approve the October 2011 expenditures totaling \$1,664,776.61.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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Board Action

\_\_\_ Resolution No \_\_\_     Motion By \_\_\_     Seconded By \_\_\_

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

Reagendized \_\_\_     Date \_\_\_     No Action Taken \_\_\_



## OCTOBER 2011 SUMMARY CHECK REGISTER

DATE	CHECK #	CHECK DESCRIPTION	AMOUNT
10/06/11	52758-52802	Check Register	144,333.22
10/14/11	52803-52806	VOID	
10/14/11	52807-52809	Payroll Checks and Direct Deposit Period Ended 10/07/11	67,788.03
10/11/11	52810-52815	Check Register	96,919.72
10/20/11	52816-52818	Check Register	850,500.72
10/21/11	52819-52899	Check Register	97,129.65
10/21/11	WIRE	Internal Revenue Service	25,169.48
10/21/11	WIRE	State of California-EDD	5,813.60
10/21/11	WIRE	Other Payroll Deduction	1,500.00
10/25/11	52900	Check Register	1,521.00
10/26/11	52901-52902	Check Register	98,385.36
10/28/11	52903-52905	Payroll Direct Deposit Period Ended 10/21/11	67,849.22
10/27/11	52906-52931	Check Register	207,866.61
		<b>TOTAL DISBURSEMENTS</b>	<b><u>1,664,776.61</u></b>

Check #	Invoice Date	Check Date	Vendor Name	Description - October 2011	Amount
52758	08/26/2011	10/06/2011	New Cal Industries	ECopy Scanstation Maintenance 08/2011-08/2012	721.88
52759	09/07/2011	10/06/2011	Carlons Fire Extinguisher	First Aid Supplies for Main Office	66.63
52760	08/21/2011	10/06/2011	Manpower Inc.	Accounting Clerk 08/15-08/18, 08/22-08/26, 09/06-09/11	2,711.85
52761	09/30/2011	10/06/2011	Rabobank, N.A. - Aflac URM	PR Batch 903 9 2011	526.90
52762	09/30/2011	10/06/2011	Hartford	PR Batch 903 9 2011	4,424.78
52763	09/15/2011	10/06/2011	Denise Duffy & Associates Inc	Eastern Distribution Environmental/Biological Services, Annexation of the Ord Community	28,078.90
52764	09/19/2011	10/06/2011	AT&T	831-000-1006 141/079 IP Flex Lines	793.87
52765	10/01/2011	10/06/2011	Carmel Marina Corporation	Marina and Fort Ord Trash Pickups 10/2011	501.71
52766	09/15/2011	10/06/2011	AT&T	883-4390 Booster Station, 276-1514 Line Point to Point Beach Office	724.13
52767	09/19/2011	10/06/2011	Grainger	Spill containment platform for O&M Dept	378.01
52768	08/31/2011	10/06/2011	Schaaf & Wheeler	Eastern Distribution Project - Watkins Gate Well and Pipeline Installation, Ord Community Annexation	46,406.17
52769	08/18/2011	10/06/2011	Noland, Hamerly, Etienne	Legal Services thru 08/15/11 (Partial Payment)	3,846.37
52770	08/31/2011	10/06/2011	Monterey Regional Waste Mgmt	Demo Landscape Supplies	39.41
52771	09/14/2011	10/06/2011	Environmental Resource Assoc	PT WP200 Study Samples	445.85
52772	09/27/2011	10/06/2011	CWEA - Monterey Bay Section	CWEA Membership Renewal for J. Correa	132.00
52773	09/30/2011	10/06/2011	MRWPCA	Sewer Treatment Charge 09/01-10/31/2011	34.80
52774	09/18/2011	10/06/2011	Verizon Wireless	(8)-Aircards, Cellphones GM, DGM/DE, O&M, ENG	1,061.92
52775	09/20/2011	10/06/2011	HD Supply Waterworks	(4)-2" Multi-Jet Meters for Marina C/O, (52)- 3/4"x7.5" Meters for Marina C/O	14,207.50
52776	09/20/2011	10/06/2011	Groeniger & Company	Hydrant Project on 5th Ave by Horse Stables-Ord	452.30
52777	09/30/2011	10/06/2011	Franchise Tax Board	PR Batch 903 9 2011	60.00
52778		<b>VOID</b>			
52779	09/23/2011	10/06/2011	NEC Financial Services, Inc.	Phone Equipment Lease 10/2011	1,711.04
52780	09/16/2011	10/06/2011	Carollo Engineers	RUWAP (Bidding/Oncall) Services	6,051.00
52781	09/30/2011	10/06/2011	Devin Derham-Burk, Trustee	PR Batch 903 9 2011	161.54
52782	10/04/2011	10/06/2011	Carl Niizawa	09/15 Attendance at APWA Monterey Bay Chapter Dinner Meeting, 10/04 CWEA Monterey Bay Chapter Meeting	50.00
52783	09/30/2011	10/06/2011	Hartford Life Insurance Company	PR Batch 903 9 2011	1,588.88
52784	08/31/2011	10/06/2011	Paul Davis Partnership LLP	Design of Imjin Office Park Bldg C, Suite B	508.00
52785	09/15/2011	10/06/2011	Hoge Fenton Jones & Appel	Legal Services for August 2011	5,734.09
52786	09/30/2011	10/06/2011	Ground Zone LLC	Well #32 Replacement/Eastern Distribution System	752.50

52787	09/23/2011	10/06/2011	Marina Cypress Apartments	3306 Del Monte Blvd #30, 3153 Eucalyptus, Unit #9, #16, #17 - Toilet Rebates	625.00
52788	09/19/2011	10/06/2011	Derek McClain	183 Lillian Pl - Washing Machine Rebate	125.00
52789	09/23/2011	10/06/2011	Denise Hampson	476 Sunrise Place-Landscape Incentive Rebate	853.00
52790	08/31/2011	10/06/2011	Credit Consulting Services Inc	Collections of Delinquent Accounts Fees	28.86
52791	06/29/2011	10/06/2011	Scelzi Enterprises Inc	Customize 2011 F550 P/U Truck Bed-Valve Turner Truck	12,482.56
52792	08/01/2011	10/06/2011	TriTel Communications	Setup/Configuration/Installation of TriTel Comm Monitoring Device at Beach Office, Monthly Equipment Rental	975.00
52793	09/23/2011	10/06/2011	Canon Business Solutions, Newcal Inc.	7055 Copy Machine Lease 10/2011	609.85
52794	09/14/2011	10/06/2011	Aaron Solano	3048 Bostick Ave - Hot Water Rebate	182.75
52795	09/20/2011	10/06/2011	Nick Farr	3002 Ellen Ct-Washing Machine Rebate	125.00
52796	10/05/2011	10/06/2011	NAACP -Monterey County Branch	NAACP Award Breakfast, Advertisement	300.00
52797	09/30/2011	10/06/2011	CA State Disbursement Unit	PR Batch 903 9 2011	488.76
52798	09/30/2011	10/06/2011	Principal Life Group	PR Batch 903 9 2011	147.35
52799	07/08/2011	10/06/2011	Public Agency Retirement Services	PARS Administrative Fee 05/2011 (Replacement Check)	327.81
52800	08/11/2011	10/06/2011	U.S. Bank Corporate	Meetings, Constant Contac Service 08/2011, Supplies for O&M Dept, General Supplies for Marina & Ord Office, Winners Awards- 5yr Plaque for Magdaleno, 20yr Plaque-North, Employees Conferences/Travel Expenses, Advertisement for Accountant Position Opening	4,393.13
52801	09/20/2011	10/06/2011	Culligan Water Enterprises	Water Softener-Well #10, Well #11, Well #12, Booster Station #F	335.49
52802	09/21/2011	10/06/2011	Alameda Electrical Distributors Inc.	Shielded Cable for L/S #2	161.63
52803-52806		<b>VOID</b>			
52807-52809	10/7/2011	10/14/2011	Payroll Checks and Direct Deposits	PR Batch 901 10 2011 Checks and Direct Deposit (3 Checks)	67,788.03
52810	07/01/2011	10/11/2011	Fort Ord Reuse Authority	Membership/Administration Fees FY 2011/2012	62,000.00
52811	08/18/2011	10/11/2011	Noland, Hamerly, Etienne	Legal Services thru 08/15/11 (Partial Payment)	23,193.00
52812	09/27/2011	10/11/2011	Golden Gate Petroleum	500 Gal Diesel Fuel for O&M Convault	1,420.97
52813	09/30/2011	10/11/2011	Groeniger & Company	(2)-Boxes of 8 Meter Globe Valves	690.20
52814	08/31/2011	10/11/2011	Evans Group International, L.L.C.	Regional Project Meetings for August 2011	7,273.52
52815	09/15/2011	10/11/2011	Richards, Watson & Gershon	Legal Services-Regional Project	2,342.03
52816	09/20/2011	10/20/2011	Noland, Hamerly, Etienne	Legal Services thru 08/15/11, and thru 09/15/11 (Partial Payment)	30,650.10

52817	10/04/2011	10/20/2011	HD Supply Waterworks	(10)-2" Turbp Meters, (136)-3/4"x 7.5" Meters for Marina C/O Project	39,123.29
52818	09/06/2011	10/20/2011	RMC Water Environment	Program Management Regional Desal Project 07/2011-08/2011	780,727.33
52819	09/30/2011	10/21/2011	Ace Hardware	General Operations & Maintenance Equipment	643.12
52820	09/15/2011	10/21/2011	Alhambra and Sierra Springs	Lab Grade Water Delivery 09-13-11	10.31
52821	10/20/2011	10/21/2011	Water Environment Federation	Annual Membership Renewal-Heitzman	220.00
52822	09/06/2011	10/21/2011	Becks Shoe Store	Work Boots-Pineda, Rodriguez, Green, Kelsey	658.52
52823	10/03/2011	10/21/2011	Carlons Fire Extinguisher	First Aid Supplies for Beach Office	48.12
52824	10/09/2011	10/21/2011	Manpower Inc.	Accounting Clerk 09/12-09/15, 09/19-09/23, 10/03-10/07, Customer Service Temp 09/29	3,951.00
52825	09/30/2011	10/21/2011	Insight Planners	Web Maintenance, Post Water Quality Tables, Meetings, Agenda/Minutes, Add ClogBusters.org Graphical Link	126.00
52826	10/14/2011	10/21/2011	Rabobank, N.A. - Aflac URM	PR Batch 901 10 2011	526.90
52827	10/14/2011	10/21/2011	Hartford	PR Batch 901 10 2011	5,127.78
52828	09/26/2011	10/21/2011	Fisher Scientific	dr4000 Glass Sample Cells, Ca Standard, pH7 Phosphate Buffer, EDTA, Sodium Hydroxide Solution and pH4 Buffer Solution	1,451.65
52829	10/07/2011	10/21/2011	AT&T	384-2068 Modem Line, 582-9817 Main Frame Computer, 384-0267 O&M Fax, 384-6103 Booster Station, 384-6133 Alarm Lines at Marina Office, 271-3430 Water Telemetry	213.21
52830	10/13/2011	10/21/2011	Pitney Bowes Credit Corp	Postage Machine Lease October 2011	1,148.65
52831	09/26/2011	10/21/2011	Dionex Corporation	5ml Vials and Caps for IC	550.02
52832	08/31/2011	10/21/2011	Home Depot/GEFCF	Roundup & 16ft Pole, Hammer Drill Rental for Attu Rd PRV Repair, Pruner & Adapter for O&M Dept, Salt supply- Well #10, Well #11, Well #12, Booster #F	693.41
52833	10/04/2011	10/21/2011	Area Communications	Answering Service 11/01/11	208.12
52834	09/30/2011	10/21/2011	Monterey Regional Waste Mgmt	Refuse Disposal from O&M Dept	57.76
52835	09/04/2011	10/21/2011	Pitney Bowes Purchase Power	Supplies for Postage Machine	108.37
52836	10/14/2011	10/21/2011	General Teamsters Union	PR Batch 901 10 2011	293.00
52837	08/10/2011	10/21/2011	Staples Credit Plan	Toner & Office Supplies for O&M Dept	718.40
52838	09/11/2011	10/21/2011	Cypress Coast Ford	Battery Cable Assembly for Veh#0302BW F250	90.15
52839	09/29/2011	10/21/2011	Marina Beach Real Estate	3081 Helena Way-Toilet Rebate	95.79
52840	10/01/2011	10/21/2011	The Maynard Group	NEC Phone Equipment Maintenance	120.00
52841	09/27/2011	10/21/2011	USA Bluebook	Herbicide, Backwater Valve for O&M stock	636.65
52842	09/29/2011	10/21/2011	CSG Systems	Postage Machine Billing for September 2011	4,112.41
52843	09/16/2011	10/21/2011	CalPERS	PR Batch 902 9 2011	15,352.13

52844	10/18/2011	10/21/2011	Special District Association	Dinner Meeting- Gustafson	25.00
52845	09/01/2011	10/21/2011	Azteca Systems Inc	Cityworks Annual Update & Support Software Fee 10/01/2011 - 10/01/2012	9,680.00
52846	09/30/2011	10/21/2011	Federico Imprints	(40)-District Hats	606.20
52847	10/14/2011	10/21/2011	Devin Derham-Burk, Trustee	PR Batch 901 10 2011	161.54
52848	10/14/2011	10/21/2011	Hartford Life Insurance Company	PR Batch 901 10 2011	1,588.88
52849	09/29/2011	10/21/2011	Ashrafi Mehdi	5110 Ocean Bluff Ct-Washing Machine Rebate	125.00
52850	09/09/2011	10/21/2011	Muniquip Inc	Sewer Pump Controllers and Level Sensors	4,811.33
52851	10/14/2011	10/21/2011	Prepaid Legal Services, Inc	PR Batch 901 10 2011	39.35
52852	09/09/2011	10/21/2011	O'Reilly Automotive Inc	General Operations & Maintenance Equipment	66.61
52853	09/08/2011	10/21/2011	Geisler	(500) - Deposit Cards	80.81
52854	09/23/2011	10/21/2011	McGrath Rent Corp.	Mobile Modular Rent for Regional Project	210.01
52855	10/12/2011	10/21/2011	Waxie Sanitary Supply	Janitorial Supplies	96.89
52856	09/28/2011	10/21/2011	TJC and Associates Inc	SCADA Communication Solutions	15,653.17
52857	10/14/2011	10/21/2011	US Treasury Levy Proceeds	PR Batch 901 10 2011	63.85
52858	09/20/2011	10/21/2011	El Camino Apts.	3320 Del Monte Blvd, Apartment Units #62, #101, #102, #103, #104, #105, #106, #107, #108, #109, #110, #111, #112, #113, #114, #115, #116, #117, #118-Toilet Rebates	1,324.00
52859	10/04/2011	10/21/2011	Integrity Printing Service	Layout for NAACP Advertisement	34.00
52860	09/27/2011	10/21/2011	Yong Lao	4815 Sea Crest Dr-Toilet Rebate	329.99
52861	10/14/2011	10/21/2011	CA State Disbursement Unit	PR Batch 901 10 2011	488.76
52862	09/23/2011	10/21/2011	National Meter & Automation	Valve Lid Lifting Device	171.20
52863	09/24/2011	10/21/2011	Voyager Fleet Systems Inc	Fleet Gasoline	3,697.02
52864	09/24/2011	10/21/2011	Graniterock Company	(16)-Sacks of Granite Patch for O&M Stock	212.18
52865	10/14/2011	10/21/2011	Principal Life Group	PR Batch 901 10 2011	147.35
52866	10/13/2011	10/21/2011	Bank of the West	Document Storage Lease Payment	3,165.83
52867	10/07/2011	10/21/2011	Rabobank, N.A. - Pers Loan	CalPers Loan Payment	10,231.70
52868	08/24/2011	10/21/2011	Springbrook Software Inc	UB Process Adj on Billing Batch to Correct Billing	150.00
52869	09/27/2011	10/21/2011	Interstate Battery of San Jose	(2)-Batteries for Well-31 Diesel Motor	357.12
52870	10/21/2011	10/21/2011	American Society of Civil Eng	Annual Membership Renewal-Niizawa	255.00
52871	09/30/2011	10/21/2011	Monterey Bay Unified Air Pollution Control D	Permit fee for New Generator for L/S #6143	219.00
52872	10/05/2011	10/21/2011	Marina Gazette	Regional Desal Project Ads 6/6, 6/20, 7/4	168.66
52873	10/07/2011	10/21/2011	Mast Realty	Refund check-486 Reindollar Ave	17.29
52874	10/07/2011	10/21/2011	Bay View Mobile Home Park	Refund check-71 Wisteria Way	38.49
52875	10/07/2011	10/21/2011	Bay View Mobile Home Park	Refund check-79 Dahlia Dr	13.39
52876	10/07/2011	10/21/2011	D B Jacobs Real Estate	Refund check-3002 Eddy St	31.16
52877	10/07/2011	10/21/2011	Frank Torres	Refund check-3145 Messinger Dr	9.95
52878	10/07/2011	10/21/2011	Nancy Amador	Refund check-335 Parson Cir	129.22
52879	10/07/2011	10/21/2011	Trans Century Properties LLC	Refund check-3146 Ocean Terrace	23.51

52880	10/07/2011	10/21/2011	Miguel Alvares	Refund check-3207 Susan Ave	10.75
52881	10/07/2011	10/21/2011	Alicia Riley	Refund check-424 Windsor Ct	26.66
52882	10/07/2011	10/21/2011	Alliance Residential Company (Abrams Park)	Refund check-2937 Jordan Ct	75.80
52883	10/07/2011	10/21/2011	FOAM-RS	Refund check-1328 Patch Ct	69.56
52884	10/07/2011	10/21/2011	Randazzo Enterprises Inc	Refund check-Hydrant Meter #055	2,405.49
52885	10/07/2011	10/21/2011	Randazzo Enterprises Inc	Refund check-Hydrant Meter #043	1,750.00
52886	10/07/2011	10/21/2011	Christopher & Petra Thom	Refund check-5024 Pacific Crest Dr	95.45
52887	10/07/2011	10/21/2011	Gasim Elyas	Refund check-124 Saipan Rd	56.21
52888	10/07/2011	10/21/2011	Golden Gate University	Refund check-500 8th St	336.21
52889	10/07/2011	10/21/2011	Antonio Dela Cruz	Refund check-3065 Vaughan Ave	38.94
52890	10/07/2011	10/21/2011	Dilbeck & Sons Inc.	Refund check-Hydrant Meter #045	137.60
52891	10/07/2011	10/21/2011	William Farrow	Refund check-4792 Paradise Cove Ct	35.00
52892	10/07/2011	10/21/2011	Robert Yee	Refund check-3069 Bayer Dr	35.00
52893	10/07/2011	10/21/2011	Duane Daughtry	Refund check-279 Young Cir	30.54
52894	10/07/2011	10/21/2011	Amira Dweik	Refund check-1826 Wedemeyer Ct	35.00
52895	10/07/2011	10/21/2011	Dave Crozier	Refund check-716 Brown Ct	35.00
52896	10/07/2011	10/21/2011	Altisource Solutions	Refund check-3087 Vaughan Ave	35.00
52897	10/07/2011	10/21/2011	Linda Campbell	Refund check-270 Reindollar Ave	8.34
52898	10/12/2011	10/21/2011	Mast Realty	Refund check-229 Michael Dr	30.03
52899	10/19/2011	10/21/2011	Kenneth K Nishi	Mediation Travel Expenses	298.14
WIRE	10/14/2011	10/21/2011	Internal Revenue Service	PR Batch 901 10 2011	25,169.48
WIRE	10/14/2011	10/21/2011	State of California - EDD	PR Batch 901 10 2011	5,813.60
WIRE	10/14/2011	10/21/2011	Other Payroll Deduction	PR Batch 901 10 2011	1,500.00
52900	10/14/2011	10/25/2011	First American Title	Watkins Gate Property Closing Costs	1,521.00
52901	10/12/2011	10/26/2011	PG&E	L/S #5990, L/S#5871, L/S #5713, L/S #3, L/S #530, L/S #528, L/S #6143, L/S #5447, L/S #6, L/S #5398, Wtr Treat #4977, #4974, L/S #4906, L/S #514, L/S #2, L/S #5, L/S #6634, L/S #7698, Well #31, CA Ave, Beach Range, Well #11, Pump Groundwater, 3 Booster Pumps, Booster Station, IOP Bldg C, Suite C, D, B, Booster #D, Booster #B, New Booster #E, Seawtr Desal Plant, Booster Pump #F, Wells #9, Well #10, Gas & Electric;	51,270.88
52902	11/01/2011	10/26/2011	ACWA Health Benefits Authority	Medical/Dental/Vision Insurance 11/2011	47,114.48
52903-52905	10/21/2011	10/28/2011	Payroll Checks and Direct Deposits	PR Batch 902 10 2011 Checks and Direct Deposit (3 Checks)	67,849.22
52906	10/07/2011	10/27/2011	Thomas Barkhurst	CA-NV Section-Water Quality Analyst Certification Renewal	55.00
52907	09/30/2011	10/27/2011	Insight Planners	(5000)-Conservation Smelly Water Brochures	292.00

52908	10/11/2011	10/27/2011	AT&T	171-793-9505 IP Flex Line	835.85
52909	09/30/2011	10/27/2011	Schaaf & Wheeler	Well #34 Eastern Distribution System, Ord Community Annexation	13,909.17
52910	10/24/2011	10/27/2011	ACWA Joint Power Ins Authority	W/Comp Insurance 07/2011-09/2011	16,300.00
52911	10/16/2011	10/27/2011	CWEA - Monterey Bay Section	Membership Renewal Fee-Rosales	132.00
52912	09/28/2011	10/27/2011	Aramark Uniform Services	Uniforms, Towels, Rugs 09/2011	1,478.19
52913	10/07/2011	10/27/2011	AFLAC	Employees Withholding	715.76
52914	09/30/2011	10/27/2011	CalPERS	PR Batch 903 9 2011	30,141.02
52915	10/13/2011	10/27/2011	Canon Financial Services, Inc.	IR5050 Copier Lease	320.46
52916	10/21/2011	10/27/2011	James Derbin	10/11/11 Backflow Certification Class - Meal for Derbin and Pineda	35.50
52917	09/30/2011	10/27/2011	Paul Davis Partnership LLP	Deisgn of Imjin Office Park Bldg C, Suite B	250.00
52918	09/23/2011	10/27/2011	Geiger	(2200)-AP Laser Checks	562.86
52919	08/31/2011	10/27/2011	Dilbeck & Sons Inc	Imjin Office Park Building C	128,875.49
52920	09/23/2011	10/27/2011	Marina Cypress Apartments	3153 Eucalyptus Ave. #7 - Toilet Rebate	125.00
52921	10/24/2011	10/27/2011	ACWA Health Benefits Authority (EAP)	Employees Assistance Program for 11/2011	116.82
52922	10/14/2011	10/27/2011	Rabobank, N.A. - IOP Loan	IOP Bldg Construction Loan	3,933.00
52923	10/03/2011	10/27/2011	Robert Half International Inc.	Temporary Accounting Assistance 09/23-09/29/11	1,400.00
52924	09/28/2011	10/27/2011	Cypress Square MHP	347 Carmel Ave Office Unit, Recreation Bldg, Laundry Facility, Units #42, #48, #90, #91, #92, & #93, - Toilet Rebates	860.60
52925	09/27/2011	10/27/2011	Doris Schroeder	3213 Tallmon St.- Washing Machine Rebate	125.00
52926	09/29/2011	10/27/2011	Ann Eidsmoe	3004 King Circle - Washing Machine Rebate	125.00
52927	10/21/2011	10/27/2011	Jose Pineda	10/13-10/14 Backflow Certification Classes - Meals for Pineda and Derbin	93.74
52928	10/27/2011	10/27/2011	U.S. Bank Corporate	Constant Contact Service 10/2011, General Supplies for Marina & Ord Office, 09/30/11 Holiday Inn Express Room Rental for Board Workshop, Luncheon Meeting, Visa Gift Card for 5yr Service Award-Pons, General Supplies for O&M Dept, Employees Conferences & Travel Expenses	4,183.19
52929	10/20/2011	10/27/2011	Sun Life Financial	Life, Short/Long Term Insurance 11/2011	1,830.96
52930	10/14/2011	10/27/2011	Richards, Watson & Gershon	Legal Services-Regional Project	770.00
52931	10/21/2011	10/27/2011	Monterey Bay Water Works Assoc	Water Treatment Operator Exam Prep Class - Foster, Magdaleno, Nguyen, Pineda	400.00
				<b>Total Disbursements October 2011</b>	<b>1,664,776.61</b>

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: November 8, 2011

Submitted By: Paula Riso  
Reviewed By: Carl Niizawa

Presented By: Paula Riso

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of September 30, 2011

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of September 30, 2011.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_\_\_Yes     \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of September 30, 2011.

Staff Recommendation: The Board of Directors approve the draft minutes of the September 30, 2011 special Board meeting.

Action Required:     \_\_\_\_\_Resolution     \_\_\_X\_\_\_Motion     \_\_\_\_\_Review

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Board Action

\_\_\_\_\_Resolution No\_\_\_\_\_     Motion By\_\_\_\_\_     Seconded By\_\_\_\_\_

Ayes\_\_\_\_\_     Abstained\_\_\_\_\_

Noes\_\_\_\_\_     Absent\_\_\_\_\_

Reagendized\_\_\_\_\_     Date\_\_\_\_\_     No Action Taken\_\_\_\_\_



Marina Coast Water District

Holiday Inn Express  
189 Seaside Circle  
Marina, California

Special Board Meeting  
September 30, 2011  
9:00 a.m.

**Draft Minutes**

1. Call to Order:

Vice President Burns called the meeting to order at 9:00 a.m. on September 30, 2011.

2. Roll Call:

Board Members Present:

Dan Burns – Vice President  
Howard Gustafson  
Jan Shriner  
Kenneth K. Nishi

Board Members Absent:

Bill Lee – President

Staff Members Present:

Jim Heitzman, General Manager  
Lloyd Lowrey, Legal Counsel  
Carl Niizawa, Deputy General Manager/District Engineer  
Paula Riso, Executive Assistant/Board Clerk

Audience Members:

Brent Ives, BHI Management Consulting  
Suresh Prasad, Monterey Peninsula Water Management District  
Craig Anthony, California American Water Company  
Bill Hood, Carmel Resident  
Gabiella Alberola, CSUMB Student  
Louis Espinola, CSUMB Student

3. Public Participation:

There were no public comments.

4. Workshop:

A. Regional Desalination Project:

Mr. Jim Heitzman, General Manager, introduced this item and handed out a copy of the May 1, 2009 Memorandum of Understanding (MOU) with Monterey Peninsula Water Management District (MPWMD). He explained that the MOU was a commitment to work together. Mr. Heitzman gave a brief background on the District's history.

Mr. Heitzman stated that in 1989, the District signed an Annexation Agreement with the Monterey Regional Water Pollution Control Agency (MRWPCA). Mr. Heitzman noted that an important part of the Agreement was that the District obtained the right to get its wastewater back as recycled water from the Regional Treatment Plant. He added that the District gave away a large percentage of the 2,000 acre feet of recycled water to the farmers, and paid millions of dollars of seed money so that the CSIP project could come together.

Mr. Heitzman stated that in 1996, the District signed an Annexation Agreement Groundwater Mitigation Framework with Marina Area Lands (Monterey County Water Resources Agency, City of Marina, Armstrong Family, RMC Lonestar) to provide water for Marina Area Lands. He said that the County agreed that it was appropriate for the District to plan and develop new water supplies, including recycled reclamation and desalinization. Mr. Heitzman said the 1996 Agreement also reserved the right and an option for the District to purchase 224 acres of the Armstrong Ranch for water production, treatment, storage and distribution.

Mr. Heitzman stated that in 1998, the District signed a Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA) to provide water and wastewater services to the former Fort Ord. He added that the District also signed a Water/Wastewater Facilities Agreement with the US Army to provide water and wastewater services for areas that remained under jurisdiction of the US Army on the former Fort Ord. Mr. Heitzman stated that FORA and the District agreed to cooperate on groundwater use and management and on furthering the use of recycled, reuse and reclaimed wastewater on the former Fort Ord.

Mr. Heitzman stated that in 2008, the District signed a Coordination Agreement for Aquifer Storage and Recovery and injection testing with the MPWMD.

As stated before, Mr. Heitzman explained that the District signed a Memorandum of Agreement with the MPWMD in 2009 to encourage and facilitate communication and cooperation with one another, and to encourage governmental effectiveness and efficiency.

Mr. Heitzman stated that since 2004, the District has worked with the Monterey County Water Resources Agency (MCWRA) and other local interested jurisdictions and parties to incorporate regional planning into the water supply plans of California American Water under the guidance authority of the California Public Utilities Commission (CPUC).

Agenda Item 4-A (continued):

Mr. Heitzman said that the District was a leader in the REPOG meetings and coordinated the efforts that led to the approval of a Regional Desalinization Facility Project by the CPUC in December 2010. He added that the District invested millions of dollars on this effort to help bring a reliable, supplemental supply of water to the Marina Area Lands, the former Fort Ord, and the Monterey Peninsula.

Mr. Heitzman commented that today the District has heard from Supervisor Potter, representatives of the local cities, local business groups, and individuals, about a desire for a way to participate in the Regional Project, to help control costs and exercise oversight in the operation of the Regional Desalinization facility. He said that the District understands the desire for local control and public participation. Mr. Heitzman stated that the District passed a sustainability policy that says the District will do what is best for the environment which often means regional cooperation. He said local control and accountability are big reasons why the District was chosen to provide water and wastewater service to the former Fort Ord. Mr. Heitzman said that it makes a lot of sense for the District to talk about participation and form an Operations and Maintenance (O&M) Committee on the Regional Desalinization facility.

Mr. Heitzman said that he is not asking for any action to be taken, only for direction to go out and see if there is any interest to form a committee and look at the process of putting together an actual committee with budgetary authority over the O&M portion of the Regional Desalinization facility. Mr. Heitzman reiterated that this is not determining that there would actually be a committee and who would sit on it; only that he would reach out to the Mayors, MPWMD, the Hospitality group or any stakeholder that would be interested in participating in putting together a committee with budgetary authority over the O&M portion of the Regional Desalinization facility.

Director Nishi commented that he was speaking as only one Board member. He said that in the past, it might have been okay for each City or District to worry only about its own concerns, but that time was long past. Director Nishi said that it costs too much of the residents' money and wastes too much time for each City or District to negotiate against each other trying to push its own agenda. He said the cost of not working together regionally is just too high as the region is too small and the best way to succeed is to work together. Director Nishi reinforced what Mr. Heitzman just said on how the District has been a regional player by again listing the numerous agreements the District has signed. He listed the 1989 Annexation Agreement with the Monterey Regional Water Pollution Control Agency (MRWPCA); the 1996 Annexation Agreement Groundwater Mitigation Framework with Marina Area Lands; the 2008 Coordination Agreement for Aquifer Storage and Recovery and injection testing with the MPWMD; and, the 2009 Memorandum of Agreement with the MPWMD.

Agenda Item 4-A (continued):

Director Nishi commented that the District ratepayers rely on the economic vitality of the Peninsula just as their Peninsula neighbors do. He stated that it is the responsibility of people in elected positions to protect not only everyone's interests, but to protect all of the residents' futures. Director Nishi commented that it means everyone should consider how everyone could have a say in how this project moves forward. He added that a publicly owned Regional Desalinization Project is a critical part in ensuring a secure future for the generations to come. Director Nishi stated that this proposed committee should be a first step in moving that direction. He said that the District has shown its continued commitment by investing its time and money in this Regional Project. Director Nishi said that he supports the General Manager's suggestion and looks forward to being a part of a larger community.

Director Shriner inquired if this would be a "listening" committee or if the members would be given a vote. Mr. Heitzman commented that he is suggesting the committee have budgetary authority over O&M. Director Shriner asked if that meant all the committee members would have a vote. Mr. Heitzman answered that he is asking for direction to reach out and form a committee of stakeholders, and the process would be that each committee member would get a vote. He said that the District would like to be a member, and probably the city mayors and other stakeholders would like to be members. Mr. Heitzman said that the size of the committee would remain to be seen, but he believes that they would all like to have the ability to vote on the O&M budget.

Director Shriner questioned the possibility of extending the Fort Ord Reuse Authority's (FORA) sunset date, and noted that she didn't think FORA was doing a very good job of coordinating the jurisdictions. She asked if this committee would be different from FORA and if they would be more productive than FORA. Mr. Heitzman said that he was asking for a committee to review how that would work. He stated that whatever the size of the committee, their direct mission would be to regulate the facility and run the O&M which would result in them being in charge of the cost of the water that comes out of the desalinization facility. He said that if the stakeholders support it, somewhere in the design process of the desalinization, the committee would become intimately involved with budgetary authority. Mr. Heitzman stated the committee would have a single mission which is to operate the facility and wouldn't be like FORA with a member from every jurisdiction. He said that it would be more in line of a Joint Powers Authority. Mr. Heitzman said that he is asking for the first step, because without a first step, you can never get to the next step. He said there would probably be some attorney fees for things like by-laws to describe what the committee's authority would be and what rules they will follow.

Director Shriner voiced her concern that another agency would be formed similar to FORA and the high costs associated with it. She added that she has been thinking about it a lot since the Remcho Report came out and was concerned that people need to be held accountable and not just passing the buck on to someone else.

Agenda Item 4-A (continued):

Mr. Heitzman stated that he didn't think there would be any cost to the committee unless they decided they needed a per diem. He said he didn't see the connection with FORA.

Director Gustafson asked what Director Shriner's point was in bringing up the Remcho Report and making accusations when she didn't know anything about it other than what she read.

Director Shriner asked that the minutes reflect that a Board policy was violated for respecting other Directors.

Director Nishi commented that it was his understanding this item was on the agenda to see if the Board wants to begin with the first step and Director Shriner is asking about steps two and three. He stated that although her questions are good, they are a bit premature and if they don't take the first step, how will they know what the next steps would be. Director Nishi said that this is just exploratory and they want to give the other people in the region a voice in what is occurring.

Vice President Burns asked if this committee would be similar to the Ord Community Ad Hoc Committee where they made recommendations. Mr. Heitzman said that it depended on what direction he received from the Board and then what the committee determines. He said the Ord Community Ad Hoc Committee had a specific task of looking at how to accomplish an annexation. Mr. Heitzman stated that this committee would be on-going and would be responsible for the budget of the desalinization facility under the by-laws. He said that first a committee needed to be formed to determine what and who would serve on the O&M Committee, and if any Mayors or even the MPWMD want to participate, they would probably need to go to their Council or Board first and then it would have to come back to the District's Board for consideration.

Mr. Heitzman noted that the District has a long history of participating regionally and with the public; and is open and transparent. He said that it was obvious when the District entered into this that the City of Marina would face a huge economic downturn if the Peninsula fails. He added that the District is a water purveyor and water provider which is why it fits very well into the project. Mr. Heitzman said that the people on the Peninsula don't feel they get complete representation because we are not on the Peninsula, only Marina and Fort Ord. He stated that this is the ability to let everybody to sit on O&M which is an important part of the project as well as the cost of the water. Mr. Heitzman said it was a way for them to have responsibility and some ownership of a public water supply.

Director Shriner asked if this item was on the agenda for action. Mr. Heitzman answered that he was not looking for action, just direction to go out and determine if there is an interest from others to participate. He said if there was interest from the others, he would come back to the Board for action at that time.

Agenda Item 4-A (continued):

Mr. Lloyd Lowrey, Legal Counsel, commented that the item was not agendaized as an action item. He said that it could be agendaized for the next Board agenda for action if needed.

Director Nishi reiterated that he supported what the General Manager was doing.

Director Shriner commented that she would like to see an agenda item with an estimate of time and cost associated with investigating the concept.

Mr. Louis Espinola, CSUMB Student, asked for clarification on the agreements the District has signed. Mr. Heitzman stated that he would meet with Mr. Espinola after the meeting and give him the information he was seeking.

Ms. Gabriella Alberola, CSUMB Student, inquired if the final decision on forming the advisory committee would be up to the District's Board or if the other agencies had a say. Mr. Heitzman answered that he wasn't sure how it would play out, but the District Board would certainly have to approve it. He said that he believes the other agencies wanting to participate would have to approve who would be their representative.

Vice President Burns asked what the next step was.

Mr. Lowrey answered that Mr. Heitzman has been receiving feedback during the meeting and if any Board member wanted to have it on the agenda for the next regular meeting, it would give an indication to Mr. Heitzman that there was interest in considering it further. Mr. Heitzman said that Director Nishi had voiced his support. Director Gustafson stated he supported it, too.

Director Shriner asked if it was clear that she asked for an agenda item with an estimate of time and cost associated with investigating the concept. She also asked that next time statements are read at a meeting, everyone get a copy of the written statements.

#### B. Strategic Planning:

Mr. Brent Ives, BHI Management Consulting, asked if there was a consensus to continue Strategic Planning with only four Board members present and if so, for how many hours was everyone expecting to participate. Vice President Burns stated he thought the meeting was scheduled until noon. Director Gustafson agreed. Director Nishi asked how they could hold a workshop with only four members present especially when they were going to discuss the meat of the Strategic Planning.

The consensus of the Board was to continue for now and see how it goes.

Agenda Item 4-B (continued):

Mr. Ives asked the Board if there was anything specific they were concerned about or wanted to talk about and asked them to let him know as they went through things.

Director Shriner commented that she was recently made aware of different District policies and would like to discuss which ones still exist and what they were for. Mr. Ives commented that District policies weren't really part of Strategic Planning, but noted that they were of concern to Director Shriner.

Vice President Burns commented that he would like to discuss the Regional Urban Water Augmentation Project (RUWAP) and the monthly meetings with MRWPCA that were supposed to be happening, and to discuss pumping non-potable replenishment water through the Districts pipelines. Director Nishi commented that the MRWPCA canceled meeting with the District. Discussion followed.

Vice President Burns suggested maybe discussing a "Plan B" if the Regional Project doesn't move forward.

Director Shriner suggested keeping focused on the annexation of the Ord Community.

Vice President Burns asked to review and update the Capital Projects process. He also asked to discuss the need for another rate study. Mr. Lowrey suggested talking about what a rate study needs to do and when it fits into the process.

Mr. Ives commented that the foundation for the District's strategy is the Mission, Vision and Core Values and everything the Board and District does will always link back to the Mission, Vision and Core Values. Mr. Ives went over what the items that would be discussed over the next two workshops and what Strategic Planning means to the District and Board.

Mr. Heitzman commented that the District hasn't done a reorganization in many years and part of Strategic Planning is for the Board to decide how they want the organization to look later on in 3, 5 or 10 years. He said he would like the Board to discuss things such as, will technology replace positions, will there be a Mission change, and will annexation play a part in the District's story. Mr. Heitzman stated that some positions have been around for 25 or more years, and would like to see discussion regarding job titles and if the duties are still valuable to the ratepayers. He said that staff hoped the Board would see the value of actually looking at some reorganization inside the District so that they could be a more efficient group. Mr. Heitzman commented that the District recently reorganized the Customer Service Department slightly and as it was a good fit, the Board approved it. He said the Operations and Maintenance Department has not been restructured in 25 years and there are new regulations with requirements that the District doesn't currently meet.

Agenda Item 4-B (continued):

There was discussion on how reorganization might be good for the District. Vice President Burns asked if Mr. Heitzman had looked into working with other agencies to maximize coverage without increasing costs, i.e. working with Seaside Sanitation District to maintain sewer lines. Mr. Heitzman agreed that those things could be discussed and gave an example of Seaside Mutual Water Company whom the District has occasionally lent a hand to and has helped them with things like equipment. He said that another thing the Board could look at is duties within the departments themselves. For example, Mr. Heitzman said that the wastewater operator duties could be split from the water operator duties, or they could be combined so that they can do both. He added that the District doesn't have a Safety Program and the liability might warrant that the Board decides to designate someone as the Safety Program manager either full or part time.

Vice President Burns questioned if the Board should be looking at making sure there is adequate coverage and certification for running the desalination plant if necessary. Mr. Heitzman stated that it would be part of the Board's decision when the design phase of the plant is discussed.

Mr. Ives went over the Board members comments on the strengths and weaknesses of the District. Discussion followed regarding public perception and media's coverage of the District.

Vice President Burns recessed the meeting from 10:13 a.m. until 10:25 a.m.

Mr. Ives began discussion on the District's Mission Statement.

Director Nishi left the meeting at 10:27 a.m.

Director Shriner commented that there was a general distraction by what appears to be another meeting going on with Mr. Fogelman, Mr. Heitzman, and Director Nishi. She commented that Mr. Lowrey also was in and out of the meeting.

Vice President Burns agreed with Director Shriner and commented that he is not going to attend any future Strategic Planning meetings if there isn't going to be participation by the Board. He asked if he should ask the others to rejoin the Strategic Planning workshop. Director Gustafson commented that there is important information being discussed and they shouldn't interrupt the others right now.

Director Shriner stated that if Director Gustafson knows what is being discussed, would he please share it with everyone else. Director Gustafson stated that he didn't know specifically what was being discussed, but he could guess that it is important by the people involved.

Vice President Burns asked if they could move on with the Strategic Planning.



Agenda Item 4-B (continued):

Director Shriner questioned if it was the District's responsibility to find water sources or to supply water from sources that are available.

Vice President Burns commented that finding water sources is very important especially with seawater intrusion. He said that the phrase "reasonable cost" is tricky for some people to understand, because they don't really know what exactly goes into the cost of providing water.

Director Shriner commented that with regards to the Regional Desalination Plant, she didn't understand why the District was so heavily involved with the Peninsula's water problems.

Director Gustafson briefly explained the background of how the District began looking into desalination long before anyone else started talking about desalination. He explained how the District was the first to use reclaimed water, first to build a pilot desalination plant, looked into the Ord Wastewater Treatment Plant and then purchased Armstrong property for future water uses. Director Gustafson stated that the REPOG meetings began with mostly Peninsula people attending and continued for three years before finally deciding on the Regional Desalination Plant. He said that the Peninsula cannot say they were not involved, because they were more involved than anyone else during REPOG.

Mr. Ives returned to discussion on the Mission Statement. Director Shriner stated she had reservations about the phrase "District's expanding communities" and said that she wasn't sure if it meant service area or jurisdiction, and it appeared to her it include some portion of Cal Am. Mr. Lowrey commented that from a legal standpoint, the statement which focuses on the District doesn't preclude entering into strategic alliances that might wind up benefitting someone else. He said the question would be whether they are benefitting the District through the strategic alliance. Mr. Lowrey said that the statement would say the District is not going to enter into an strategic alliance or some kind of an arrangement that is going to benefit other people and not benefit the District. He said that as long as it benefits the District, the fact that it benefits someone else just means that the District has used that as a tool to accomplish the Mission.

Vice President Burns stated that in his opinion, a Mission Statement is as good as it gets at the time you had it. He said that he thinks Mission statements are a waste of time and Core Values are more important than Mission Statements.

Mr. Ives stated that everything the District does has to be linked to the Mission Statement as it's the cornerstone.

Mr. Ives commented that the Vision Statement moves the Mission forward.

Agenda Item 4-B (continued):

There was discussion on the Vision Statement and the phrase “Monterey Bay Region”. There was discussion on the phrase “*the* leading public supplier” and Mr. Heitzman suggested changing it to “*a* leading public supplier”. Mr. Ives noted the suggested change and it will be discussed at the next workshop.

Mr. Ives went over Core Values and decision filters and gave examples for the Board to discuss.

Director Gustafson commented that the District has a great maintenance program. Discussion followed.

Mr. Lowrey commented that, over the years, he has observed the key values from the different Board members of the District. He said local control and accountability has been a key, cost effectiveness/efficiency has been another key, keeping options open, and being proactive and staying ahead of the curve. Mr. Lowrey stated that the District tried to stay ahead of the curve by being the first to do a local recycle project; have a small pilot desalination plant; and a conservation department.

Vice President Burns suggested a Core Value/decision filter to be “Does it support our employees by providing job satisfaction, competitive compensation and opportunity?” Discussion followed.

Mr. Ives reviewed the Core Values/Decision Filters that were agreed upon for further discussion.

- Is it cost effective/practical?
- Does it support our commitment to maintenance of our infrastructure to protect the rate payers of today and in the future?
- Will it support our commitment to reliability in the services we provide?
- Is it responsive, open and clear to our customers?
- Does it support our employees by providing job satisfaction, competitive compensation and opportunity?
- Is it environmentally sensitive?
- Does it support local control, conserve resources and promote accountability?
- Will it keep all options open?
- Does it assure that we are proactive?

Mr. Ives stated that the Mission, Vision, and Value are draft sets and they would be discussed at the next workshop.

5. Directors Comments:

Director Gustafson commented that it was a good workshop and they covered a lot of stuff.

Director Shriner commented that she appreciated the work Mr. Ives was doing with the Board. She voiced her concern over what was happening around them and that some of the board knows and understands what is going on and other board members are not allowed to know what is happening, even after they ask. Director Shriner said that until they can share, at least among Board members, what is going on in the District, it will be hard to remove the division amongst the Board.

Vice President Burns commented that it was unfortunate to have people going in and out of the room and at the next workshop he would like to see a commitment from everyone to stay in the room.

6. Adjournment:

The meeting was adjourned at 11:53 a.m.

APPROVED:

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Dan Burns, Vice President

ATTEST:

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Jim Heitzman, General Manager

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-F

Meeting Date: November 8, 2011

Submitted By: Paula Riso  
Reviewed By: Carl Niizawa

Presented By: Paula Riso

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of October 11, 2011

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of October 11, 2011.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_Yes   \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of October 11, 2011.

Staff Recommendation: The Board of Directors approve the draft minutes of the October 11, 2011 regular Board meeting.

Action Required:     \_\_\_Resolution   \_\_\_X\_\_\_Motion   \_\_\_Review

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Board Action

\_\_\_Resolution No\_\_\_     Motion By\_\_\_     Seconded By\_\_\_

Ayes\_\_\_     Abstained\_\_\_

Noes\_\_\_     Absent\_\_\_

Reagendized\_\_\_     Date\_\_\_     No Action Taken\_\_\_

Marina Coast Water District

District Office  
11 Reservation Road  
Marina, California

Regular Board Meeting  
October 11, 2011  
6:45 p.m.

**Draft Minutes**

1. Call to Order:

Vice President Burns called the meeting to order at 6:45 p.m. on October 11, 2011.

2. Roll Call:

Board Members Present:

Dan Burns – Vice President  
Howard Gustafson  
Jan Shriner  
Kenneth K. Nishi

Board Members Absent:

Bill Lee – President

Staff Members Present:

Lloyd Lowrey, Legal Counsel  
Carl Niizawa, Deputy General Manager/District Engineer  
Kelly Cadiente, Director of Administrative Services  
Thomas Barkhurst, Water Quality Chemist  
Brian True, Capital Projects Manager  
James Derbin, Interim Operations and Maintenance Superintendent  
Patrick Breen, Capital Projects Manager  
Paula Riso, Executive Assistant/Board Clerk

Audience Members:

Andy Sterbenz, Schaaf & Wheeler  
Richard Newhouse, Marina Resident  
George Riley, Monterey Resident  
Bob Holden, MRWPCA  
Tom Moore, Marina Resident  
Carmelita Garcia, Mayor of Pacific Grove  
Alberto & Keui Villa, Marina Residents  
Bill & Julie Hood, Carmel Residents  
Daniel Burklund, Royal Oaks Resident  
Aliya Piotrkowski, CalAm Water

The Board entered into closed session at 6:45 p.m., after announcement per Government Code Section 54957.7(a).

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)
  
- B. Pursuant to Government Code Section 54956.95  
Liability Claims  
Claimant: Ausonio Incorporated  
Agency Claimed Against: Marina Coast Water District
  
- C. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Subdivision (b)  
One Case  
  
A letter dated June 21, 2011, from the Monterey County Board of Supervisors transmitted a “Summary of Preliminary Findings Regarding Director Stephen Collins’ Business Relationship With RMC Water and Environment and Marina Coast Water District.” The Summary, prepared by Remcho, Johansen & Purcell, LLP, states that certain conduct raises questions about the validity of contracts to which Marina Coast Water District is a party. Based on the statements in the Remcho Summary, and based on reports in the Monterey Herald this morning, a point has been reached where, in the opinion of the MCWD Board based on the advice of its legal counsel, there is a significant exposure to litigation against MCWD.
  
- D. Pursuant to Government Code Section 54959.9  
Conference with Legal Counsel – Anticipated Litigation  
Potential Initiation of Litigation (c)  
One Case

The Board ended closed session at 7:01 p.m.

Vice President Burns reconvened the meeting to open session at 7:02 p.m.

4. Possible Action on Closed Session Items:

Mr. Lloyd Lowrey, Legal Counsel, reported the following:

3-A – the Board of Directors conferred with Legal Counsel, no action was taken.

3-B – the Board of Directors conferred with Legal Counsel, instructions were given and no action was taken.

3-C – the Board of Directors conferred with Legal Counsel, no action was taken.

3-D – the Board of Directors conferred with Legal Counsel, no action was taken.

5. Pledge of Allegiance

Vice President Burns led everyone present in the pledge of allegiance.

6. Oral Communications:

Tom Moore, Marina resident, reminded the public that the rebroadcast of the District Board meetings is brought to them by More Transparency and the efforts of Richard Newhouse. He commented that donations could be made to More Transparency, P.O. Box 693, Marina, CA 93933.

7. Consent Calendar:

Director Shriner requested to pull items C, and D from the Consent Calendar.

Director Gustafson made a motion approve Consent Calendar consisting of items:

A) Adopt Resolution No. 2011-75 to Approve an Amendment to the Professional Services Agreement with Ground Zone, LLC, the Industrial Hygienist/Hazardous Materials Specialist for the Well No. 34 Site Improvement Project/Eastern Distribution System Project

B) Adopt Resolution No. 2011-76 to Approve Outsourcing of Information Technology Support Services of the District

E) Approve the Draft Minutes of the Special Joint FORA Board Meeting of September 16, 2011

Vice President Burns seconded the motion. The motion was passed.

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

C) Approve the Expenditures for the Month of September 2011:

Director Shriner inquired when the last invoice from RMC was received. Mr. Carl Niizawa, Deputy General Manager/District Engineer, answered that the August invoice was recently received and currently being processed. With regards to check number 52645, Director Shriner asked what services Alex Houlanicki provides to the District. Mr. Niizawa answered that Mr. Houlanicki provides public outreach services at the request of the General Manager. Director Shriner inquired on check number 52672 and asked when those charges were incurred. Ms. Kelly Cadiente, Director of Administrative Services, answered that the charges were incurred in May and there was a delay in receiving the invoice. Director Shriner inquired about check numbers 52726 and 52727, both to FORA, and asked for a total estimate of what the District pays to FORA annually. Ms. Cadiente answered she would look into it and noted that these particular charges are paid quarterly.

Director Gustafson made a motion to approve the expenditures for the month of September 2011. Vice President Burns seconded the motion. The motion was passed.

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

D) Approve the Draft Minutes of the Regular Board Meeting of September 13, 2011:

Director Shriner noted that page 37 of the packet states that no action was taken in closed session. She said that since she missed part of the closed session, she wanted to know how she could find out what was discussed before she was present. Director Shriner asked if an Ad Hoc Committee was created in closed session, would it have to be reported out in open session. Mr. Lowrey answered that the President makes the appointments to Ad Hoc Committees and it wouldn't be a Board action. Director Shriner asked how she could find out what happened in closed session before she got there. Mr. Lowrey said that he believed a Board member could ask another Board member who was present what happened, but he would check and let the Board know.

Director Gustafson made a motion to approve the draft minutes of the regular Board meeting of September 13, 2011. Vice President Burns seconded the motion. The motion was passed.

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



8. Action Items:

A. Consider Adoption of Resolution No. 2011-77 to Direct Staff to Initiate the Formation of a Regional Desalination Project Operations and Maintenance Committee:

Mr. Niizawa introduced this item and explained that at its special Board meeting on September 30, 2011, the Board discussed the matter of the formation of an Operations and Maintenance Committee for the Regional Desalination Facility and it was favorably received. He said that staff was asking for direction from the Board to develop the concept and bring it back to the Board for later approval.

Mr. Bill Hood, Carmel resident, commented that he was in favor of the idea, but he would like to see more information on how the committee would be constituted and what role it would have.

Mr. Moore echoed Mr. Hood's comments and added that there is no indication on what kind of direction has been provided by the Board with respect to this committee. He asked that the Board discuss this item to allow the public to know what direction the Board wants staff to take.

Ms. Carmelita Garcia, Mayor of Pacific Grove, also echoed Mr. Hood's comments and said she was unable to find any information on the formation of this committee. She said that the staff report was very vague and asked if construction has already begun which would warrant the necessity for this type of committee.

Mr. George Riley, Citizens for Public Water, commented that the issue of transparency is key to having a public participation committee and there should be some guidelines given on what direction and what the committee is intended to accomplish. He asked if this committee is oriented towards Monterey rate payers or not, and if it is designed for public agency representation or the public in general. Mr. Riley asked if the oversight is only for operations and maintenance, and noted that since there hasn't even been construction, this may be premature. He asked that the Board provide more information on the direction they want this to go so everyone has a clearer sense of what this entire thing is about.

Director Shriner commented that she agreed that the information on this item was vague and noted that two people read statements at the special Board meeting on September 30<sup>th</sup> but the written statements were not available. She commented that the method of developing this committee so far has not been transparent. Director Shriner suggested tabling this item and give the Board and staff more time to think about how to go about this in the most transparent manner. She stated that if the committee is an oversight committee, the term "oversight" should be in the resolution and added that without more detailed information, she cannot make an informed decision on this.

Director Nishi commented that the intent was to have the General Manager go out to the jurisdictions and ask what they want. He said that the District wants to form an Operations and Maintenance Committee.

Agenda Item 8-A (continued):

Director Nishi commented that this is the first step and over time, things will evolve and maybe a JPA will be formed. He said that at this point, the District is looking for a vehicle to promote transparency and participation and encouraged everyone to help get the project moving forward to benefit the Peninsula.

Director Gustafson commented that this action is to initiate talk so when the water purchase comes around everyone will be ready. He clarified that the project was not put together in closed session; it was created through three years of REPOG meetings.

Director Shriner made a motion to adopt Resolution No. 2011-77 to direct staff to initiate the formation of a Regional Desalination Project Operations and Maintenance Committee with the following qualifications:

- 1) the purpose is for oversight of operations and maintenance;
- 2) 15 members or less on the committee with residents of the Peninsula as a priority;
- 3) meetings would be public;
- 4) there will be full disclosure;
- 5) District staff would work no more than 40 hours initially before bringing it back to the Board;
- 6) District legal counsel would work no more than 40 hours before bringing it back to the Board.

The motion died for lack of a second.

Director Nishi questioned Mr. Riley about his comments on the Community Forum meeting which was canceled.

Director Shriner called a Point of Order. Vice President Burns asked if the Board was going to answer questions from the public or not. Director Nishi commented that he feels an obligation to set the record straight when someone makes a false accusation. Director Shriner disagreed.

Mr. Lowrey advised that under Oral Communications, Directors should not respond to the public comments made. He said that under Director's Comments, Directors should not hold intramural discussion. Mr. Lowrey said that when considering an item, Directors should be allowed to debate an item of business and he would be reluctant to restrict a Director unless they were completely off topic of the item listed on the agenda. Mr. Lowrey stated that in this case, the question of the public participation is part of what is on the agenda, and Directors should be able to discuss that. Vice President Burns voiced his concern of Directors challenging people in the audience. Mr. Lowrey recommended that to the extent that Directors find it possible, any discussion of personalities, individuals, or any ad hominem comments be curtailed and only the issues be addressed.

Agenda Item 8-A (continued):

Director Gustafson made a motion to adopt Resolution No. 2011-77 to direct staff to initiate the formation of a Regional Desalination Project Operations and Maintenance Committee. Director Nishi seconded the motion.

Director Shriner made a substitute motion to adopt Resolution No. 2011-77 to direct staff to initiate the formation of a Regional Desalination Project Operations and Maintenance Committee with the following qualifications:

- 1) the purpose of the committee be for oversight;
- 2) the Monterey Peninsula residents be given a priority;
- 3) meetings would be public;
- 4) there will be full disclosure;
- 5) District staff would work no more than 40 hours initially before bringing it back to the Board;
- 6) District legal counsel would work no more than 40 hours before bringing it back to the Board.

The motion failed for lack of a second.

Director Gustafson called for the question.

The motion to adopt Resolution No. 2011-77 to direct staff to initiate the formation of a Regional Desalination Project Operations and Maintenance Committee was passed.

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

- B. Consider Adoption of Resolution No. 2011-78 to Approve the Construction Contract with Don Chapin Company, Inc. for the Construction of the Well No. 34 Site Improvement Project:

Mr. Patrick Breen, Capital Projects Engineer, introduced this item.

Director Gustafson made a motion to adopt Resolution No. 2011-78 to approve the Construction Contract with Don Chapin Company, Inc. for the construction of the Well No. 34 Site Improvement Project. Director Nishi seconded the motion. The motion was passed

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

C. Consideration for Directing Staff to Draft a Request for Proposals for District Legal Services:

Mr. Lowrey recused himself at 7:31 p.m. and left the room.

Mr. Niizawa introduced this item.

Director Shriner asked why no action was taken on the June 14<sup>th</sup> discussion. Mr. Niizawa answered that there was discussion of some Board members going to Noland, Hammerly, Etienne & Hoss. He said that a motion was made and withdrawn at that meeting and no action was taken. Vice President Burns stated that he and Director Gustafson were supposed to go over to the office and talk with them. He said that after a legal evaluation was done in closed session, he didn't think there was a need to do that and he never made arrangements for the visit.

Director Nishi made a motion to direct staff to draft a Request for Proposals for District Legal Services. Director Gustafson seconded the motion. The motion failed.

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

Mr. Lowrey returned to the meeting at 7:34 p.m.

9. Staff Report:

A. Receive Information on the District's Investment Policy:

Ms. Cadiente introduced this item stating that the District's Investment Policy will be brought to the Budget and Personnel Committee for review and then to the Board for discussion. Director Shriner clarified that the last approved policy is 2002/2003. Ms. Cadiente stated that this Policy will be updated annually.

10. Informational Items:

C. General Manager's Report:

No report.

B. District Engineer's Report:

Mr. Niizawa commented that staff has initiated review of the Ord office landscaping to make sure it is compliant with District standards. He added that staff received input from the Ad Hoc Committee regarding an outreach firm and with the new information, staff will again seek outreach firms.

C. Counsel's Report:

Mr. Lowrey commented that at a recent meeting Director Shriner mentioned and asked advice on an Attorney General's opinion. Mr. Lowrey handed out copies of the Attorney General opinion in question. Mr. Lowrey commented that the opinion was regarding holding meetings outside the jurisdictional boundary of the District, and according to the Attorney General's opinion, as long as the District's principal office is outside the boundary, meetings may be held there.

Mr. Lowrey noted that the courts have been looking at Prop. 218 recently and stated that it is very important any Prop. 218 proposals are based on thorough engineering and financial analysis. He said that the analysis needs to show the benefits to be received by the people to be assessed are proportional to the assessment that is going to be imposed. Mr. Lowrey advised that there is an important need to connect the dots so that the benefit is proportional to the assessment.

D. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Vice President Burns stated that they looked at the Water Wise newsletter and discussed upcoming meetings where BMP's and refining the roles of the Committee will be discussed.

2. Joint City-District Committee:

Director Gustafson commented that there was no meeting because there was no quorum as only one member showed up from the City. Director Nishi commented that President Lee was unavailable due to work and he was unavailable as he was out-of-town in mediation.

3. Budget and Personnel Committee:

No meeting was held as there was no quorum.

4. Executive Committee:

No meeting was held as there was no quorum.

5. Community Outreach:

Director Gustafson commented that the District put an ad in the NAACP brochure. He added that an RFP will go out for an outreach firm.

6. MRWPCA Board Member:

Director Nishi commented that the meeting was boiler-plate.

7. FORA

Director Nishi said everyone was there.

8. LAFCO Liaison:

Director Nishi stated that a public member, Vince DiMaggio, resigned and the LAFCO Board appointed Sherwood Darington to the primary public position and someone else to the alternate public position. He commented that the meeting was boiler-plate

9. JPIA Liaison:

Director Shriner commented that ACWA visited the District offices.

10. Special Districts Association Liaison

Director Gustafson commented that the meeting was next Tuesday.

11. CalDesal:

Vice President Burns commented that they were still working with the SWRCB.

12. Regional Desalination Reports:

Vice President Burns commented that the report was in the packet.

11. Director's Comments:

Director Shriner commented that there was a California Special Districts Association conference was going on in Monterey. She added that she was concerned about the closed session item regarding the contract negotiations with the General Manager and how it fits with the District's Mission and Vision statements. Director Shriner said that until she understands how ongoing contract negotiations fit with the District's Mission and Vision statements, she will decline participating in the negotiations as should everyone else. She pointed out the negotiations have been ongoing from the time she was elected to the Board and a contract was signed November 2010, an amendment approved in May 2011, and there are still negotiations going on.

Director Gustafson said he appreciated the General Manager's service and professionalism and where he has put the District. He added that he will continue ongoing discussions with the General Manager to make sure he is happy with the District.

Regular Board Meeting  
October 11, 2011  
Page 11 of 11

Agenda Item 11 (continued):

Director Nishi commented that the Vice President took the bridge of the ship and kept it on course.

12. Adjournment:

The meeting was adjourned at 7:47 p.m.

APPROVED:

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Dan Burns, Vice President

ATTEST:

---

Jim Heitzman, General Manager

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: November 8, 2011

Prepared By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2011-81 to Approve the 2011-2012 District Investment Policy

Detailed Description: Staff is requesting the Board of Directors consider adoption of Resolution No. 2011-81 to approve the 2011-2012 District Investment Policy (Policy). The Policy is based on provisions of the Government Code governing the investment of local agency funds and deposits of public money and should be reviewed and adopted on an annual basis.

In adherence to the District's current Investment Policy, the Budget and Personnel Committee reviewed and updated the Policy where appropriate. As part of the review process, the Committee verified that the Policy includes:

- Standards of Care – Authority to invest, prudence, and oversight
- Investment Portfolio – Authorized investments, diversification, and maturities
- Safekeeping and Custody – Eligible institutions
- Reporting Requirements – Reporting frequency and format

Environmental Review Compliance: None required.

Prior Committee or Board Action: August 28, 2002, Board adopted Resolution No. 2002-37 to approve the 2002-2003 District Investment Policy; October 26, 2011 Budget & Personnel Committee reviewed the Proposed 2011-2012 District Investment Policy for recommendation for Board approval at the November 8, 2011 Board meeting.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_ Yes      X  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2011-81; Proposed 2011-2012 District Investment Policy

Staff Recommendation: The Board of Directors adopt Resolution No. 2011-81 to approve 2011-2012 District Investment Policy.



Action Required:      X   Resolution \_\_\_\_\_ Motion    \_\_\_\_\_ Review  
(Roll call vote is required.)

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Resolution No \_\_\_\_\_    Motion By \_\_\_\_\_    Board Action    Seconded By \_\_\_\_\_  
Ayes \_\_\_\_\_    Abstained \_\_\_\_\_  
Noes \_\_\_\_\_    Absent \_\_\_\_\_  
Reagendized \_\_\_\_\_    Date \_\_\_\_\_    No Action Taken \_\_\_\_\_

November 8, 2011

Resolution No. 2011-81  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving the 2011-2012 District Investment Policy

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 8, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS the District’s Investment Policy is based on provisions of the Government Code governing the investment of local agency funds and deposits of public money; and,

WHEREAS, said Policy should be reviewed and adopted on an annual basis; and,

WHEREAS, in accordance to the current policy, the Budget and Personnel Committee has reviewed and updated the 2011-2012 District Investment Policy and recommends approval by the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2011-81 to approve the 2011-2012 District Investment Policy.

PASSED AND ADOPTED on November 8, 2011, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
William Y. Lee, President

ATTEST:

\_\_\_\_\_  
Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2011-81 adopted November 8, 2011.

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Jim Heitzman, Secretary

**MARINA COAST WATER DISTRICT  
ANNUAL STATEMENT OF INVESTMENT POLICY**

**BACKGROUND AND PURPOSE**

All investments and deposits of District funds for FY 2011-2012 shall be made only as set forth in this Annual Statement of Investment Policy in accordance with the Government Code.

**I. APPLICABLE LAW**

The District's Investment Policy is based on provisions of the Government Code set forth in Title 5, Division 2, Part 1, Chapter 4, Articles 1 and 2 (commencing at Section 53600) of the California Government Code governing the investment of local agency funds and deposits of public monies. All references to code sections in this Statement, unless otherwise specified, are from the California Government Code. The District adopted this Policy at the November 8, 2011 meeting of the Board of Directors.

Investments shall be made as if by a prudent person using the same discretion and intelligence a person would use in managing personal affairs and certainly not for speculation. The District intends to invest prudently in order to safeguard the invested principal and accrued interest and to produce an acceptable rate of return after first considering safety and liquidity. As far as possible, all money belonging to or in the custody of the District, including money paid to the treasurer or other official to pay the principal, interest, or penalties of bonds, shall be deposited for safekeeping in an institution as described in Section 53635.2, observing the limitations specified in Sections 53601 and 53635.

**II. INVESTMENT PROCEDURES**

- A. The Director of Administrative Services may invest monies not required for expenditure during the terms of the investment without first securing further Board approval if the investment is one of the following types:
- (1) Local Agency Investment Fund of the State of California.
  - (2) Time certificates of deposits issued by a nationally or state chartered bank or a state or federal association located within the State of California if fully secured by federal insurance or approved collateral at the required percentage of market value.

- B. The Director of Administrative Services may invest monies not required for expenditure during the term of the investment only after securing further Board approval if the investment is one of the following types:
- (1) Bonds issued by the District.
  - (2) Registered State warrants or treasury notes or bonds of the State of California or by a department board, agency or authority of the State.
  - (3) Bonds, notes, warrants for other evidence of indebtedness of any local agency within this state.
  - (4) Obligations issued by banks or cooperatives, federal land banks, federal intermediate credit banks, federal home loan banks, the Federal Home Loan Bank Board, the Tennessee Valley Authority, or in obligations, participation or other instrument of or issued by or fully guaranteed as to principal and interest by the Federal National Mortgage Association; or in guaranteed portions of Small Business Administration notes; or in obligations, participation or other instruments of, or issued by a federal agency, or a United States Government sponsored enterprise.
  - (5) Repurchase agreements for securities.
  - (6) Time certificates of deposit issued by a nationally or state chartered bank or a state or federal association located outside of the State of California if secured by federal insurance.
- C. No investment shall be purchased:
- (1) On margin.
  - (2) "Forward" or "in the future."
  - (3) Based on foreign currency.
  - (4) Which are specified in Government Code Section 53601.6.
- D. No investment shall be made with a maturity date greater than five years from the date of purchase unless specifically authorized by the Board or as a part of a program no less than three months prior to the date of purchase.

### III. USE OF SECURITIES DEALERS AND BROKERS

When not purchasing an investment directly from the issuer, the District shall purchase it from an institution licensed by the State as a broker-dealer, as defined in Section 25004 of the Corporation Code, or from a member of a federally regulated securities exchange, from a national or state-chartered bank, from savings association or a federal association, or from a brokerage firm designated as a primary government dealer by the Federal Reserve Bank, as required by Section 53601.5.

### IV. INVESTMENT AUTHORITY AND REPORTING REQUIREMENTS

- A. Director of Administrative Services: To the extent consistent with law, the Director of Administrative Services shall perform the duties of "treasurer" under Sections 53630 through Sections 53686. District funds deposited in any account are deemed to be in the treasury of the District, pursuant to Section 53636. The Director of Administrative Services is responsible for the safekeeping of money in his or her custody and shall enter into any contract with a depository relating to any deposit, which in his or her judgment is to the public advantage, as provided by Section 53649. The Director of Administrative Services is responsible for compliance with all state laws governing the day-to-day management of deposits as set forth in Sections 53630 through 53686.
- B. Borrowing Funds: In making any decision that involves borrowing in the amount of one hundred thousand (\$100,000) or more, the Board shall discuss, consider, and deliberate each decision as a separate item of business on the agenda of its meeting as prescribed in the Government Code, commencing at Section 54950.
- C. Director of Administrative Services Quarterly Report: The Director or Administrative Services shall present quarterly reports on investments to the General Manager and Board. The report shall show: the type of investment, how title is held, institution, date of maturity, amount of deposit, current market value for all securities with a maturity of more than 12 months, rate of interest, the relationship of each investment to this investment policy, information showing that expenditure requirements can be met in the following quarter and specify investments made pursuant to Government Code Section 53601(i), and 53601.1. The quarterly reports shall also show whatever additional information the Board may require.
- D. In Lieu Statements: For District investments placed in the Local Agency Investment Fund, created by Section 16429.1, in FDIC-Insured accounts in a bank or savings and loan association, in a county investment pool, or any combination of these, the Director of Administrative Services may supply the most recent

statement or statements received by the District from these institutions in lieu of the information required by Paragraph C.

- E. Investment Committee: The Budget & Personnel Committee shall periodically review the investments held by the District, the cash flow requirements of the District and the compliance of its investments with this Statement. The Committee shall make an annual report and recommendation to the Board concerning implementation or changes in this policy.
- F. Annual Board Review: The Board shall meet annually to review the District Investment Policy portfolio, quarterly reports prepared pursuant to Section 53646 of the Government Code, and any other relevant information regarding anticipated cash requirements for the purpose of selecting investment instruments for District funds. This investment policy shall be reviewed annually or more often, as necessary.

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: November 8, 2011

Submitted By: Patrick Breen

Presented By: Patrick Breen

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2011-82 to Approve an Amendment to the Professional Services Agreement with The Paul Davis Partnership for the Design of the MCWD Imjin Office Park Building C, Suite B

Detailed Description: The Board of Directors is requested to approve an amendment to the Professional Service Agreement with The Paul Davis Partnership for the design and permitting of Suite B in the Imjin Office Park Building C for an amount not to exceed \$44,500.

The original scope for Suite B was to be designed and permitted to the level of a “shell” which could be designed, permitted, and constructed to meet the needs of a future tenant.

In February of this year, the Paul Davis Partnership was requested to complete the design and permitting for Suite B. The space was to be designed to occupy one or two tenant groups one of which would be for District Staff. Once the design and permitting was completed, Staff obtained a quote for the improvements but elected not to proceed with the construction at that time.

At the time of this work, it was thought that this additional work scope could be completed under the existing allocated contract amount for project support on the construction of the Imjin Office Park Building C. However, completion of the building required expenditures of the full allocation of the contract amount on project support, requiring this additional allocation to the contract.

This amended scope includes preparing design and construction documents setting forth the requirements for the construction in accordance with applicable codes, state and federal regulation and accessibility laws. The Paul Davis Partnership engaged the services of structural, mechanical, electrical engineering firms, and a lighting designer. Also included in the scope was submission of plans to the City of Marina, as well as plan checks, and obtaining the Building Permit from the City.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Resolution No. 2010-27 Authorized a Professional Services Agreement with The Paul Davis Partnership for completing the design of MCWD’s Imjin Office Park Building C. Resolution No. 2009-34 approved agreements with the Fort Ord Reuse Authority to purchase property and lease back space in the Imjin Office Park Building C, Suite A space. Resolution No. 2009-80 authorized the General Manager to sign contracts relating to the Imjin Office Park Project.



Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To meet 100% of current and future customers’ needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact:      Yes      No

Funding Source/Recap: The District will utilize District Reserves to fund this work.

Material Included for Information/Consideration: Resolution No. 2010-82.

Staff Recommendation: The Board of Directors authorize an amendment to the Professional Services Agreement with The Paul Davis Partnership for completing the design of MCWD’s Imjin Office Park Building C, Suite B for a Not-to-Exceed amount of \$44,500.

Action Required:      Resolution      Motion      Review  
(Roll call vote is required.)

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Board Action

\_\_\_\_\_Resolution No\_\_\_\_\_     Motion By\_\_\_\_\_     Seconded By\_\_\_\_\_

Ayes\_\_\_\_\_     Abstained\_\_\_\_\_

Noes\_\_\_\_\_     Absent\_\_\_\_\_

Reagendized\_\_\_\_\_     Date\_\_\_\_\_     No Action Taken\_\_\_\_\_

November 8, 2011

Resolution No. 2010-82  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing an Amendment to the Professional Services Agreement with  
The Paul Davis Partnership for the  
Design of the MCWD Imjin Office Park Building C

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 8, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Board adopted Resolution No. 2010-27 Authorized a Professional Services Agreement with The Paul Davis Partnership for completing the design of MCWD’s Imjin Office Park Building C; and,

WHEREAS, the original scope for the design of the Imjin Office Park Building C did not include the interior design of Suite B; and,

WHEREAS, District Staff requested that The Paul Davis Partnership complete the design, construction drawings and permitting for the Imjin Office Park Building C, Suite B in February of this year; and,

WHEREAS, The Paul Davis Partnership completed the design, construction drawings, and permitting for the Imjin Office Park Building C, Suite B as requested; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager to execute an amendment to the Professional Services Agreement with The Paul Davis Partnership for completing the design of MCWD’s Imjin Office Park Building C, Suite B and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, the total dollar amount Not-To-Exceed \$44,500.

PASSED AND ADOPTED on November 8, 2011 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
William Y. Lee, President

ATTEST:

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Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2011-82 adopted November 8, 2011.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: November 8, 2011

Submitted By: Jean Premutati  
Reviewed By: Carl Niizawa

Presented By: Carl Niizawa

Agenda Title: Consider Directing Staff to Draft a Request for Proposals for District Legal Services

Detailed Description: At its June 14, 2011 Regular Board meeting, the Board considered directing staff to issue a Request for Proposals (RFP) for District legal services. There was discussion on this issue about sending Board representatives to speak to the firm Noland, Hammerly, Etienne, & Hoss regarding the Board concerns; however, no action was taken.

At its October 11, 2011 meeting, the Board considered this item again. With only four Board members present, there was a 2/2 split vote on taking action on directing staff to issue a RFP.

It has been requested that this matter be brought to the full Board for further discussion and possible action.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board discussed and considered this item on June 14, 2011, and on October 11, 2011.

Board Goals/Objectives: *Mission Statement – 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.*

Financial Impact:  Yes  No

Funding Source/Recap: None.

Material Included for Information/Consideration: None.

Staff Recommendation: The Board requested this item to be placed on the agenda.

Action Required:  Resolution  Motion  Review

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: November 8, 2011

Submitted By: Jean Premutati  
Reviewed By: Carl Niizawa

Presented By: Jean Premutati

Agenda Title: Consider Providing Direction to Staff on Proposed District Reorganization and Job Classifications

Detailed Description: Over time, job duties, technology and assignments have evolved such that staff recommends an evaluation of staffing levels and organizational structure. The evaluation may also be viewed as an opportunity to seek cost savings measures.

In FY2010/2011, the District experienced the loss of four managers and two line staff due to retirements, resignations, and outside advancement options. As a result, staff has had the opportunity to explore some cost-saving measures rather than recruiting to fill each position as they become vacant. These alternatives include assigning existing staff with interim duties and titles and hiring temporary, contract employees. In addition, a new classification was established as well as growth opportunities previously not available.

The temporary appointments are not sustainable as a long-term measure although they have been beneficial to the District and the continuity of workflow. In order to achieve a sustainable organization, this is an opportune time for discussion of reorganization of District departments and job classifications that optimally and efficiently meet the District's future needs and fill critical positions. As a result of reorganization, we anticipate enhanced productivity, continued cost-savings measures, and internal growth incentives for existing staff so they will remain with the District.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board adopted Resolution No. 2011-52 approving the reorganization of the Finance Department and related classifications and job descriptions.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_\_\_Yes       X  No

Funding Source/Recap:     None.

Material Included for Information/Consideration:     None.

Staff Recommendation: The Board of Directors provide direction to staff on a plan for proposed District reorganization and job classifications.

Action Required: \_\_\_\_\_Resolution \_\_\_\_\_Motion \_\_\_\_\_Review

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Board Action

\_\_\_\_\_Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: November 8, 2011

Submitted By: Paula Riso  
Reviewed By: Carl Niizawa

Presented By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2011-83 to Amend the Board Procedures Manual

Detailed Description: The Board of Directors is requested to review and amend the revised Board Procedures Manual (BPM).

The BPM is a resource for directors, staff and the public in defining the roles, responsibilities and procedures of the Board.

On September 13, 2011, the Board approved amendments to the BPM and suggested that additional changes may need to be made regarding violation of the policy. The Executive Committee reviewed the BPM with the addition of a violation clause, and a resulting redlined version is before the Board for final approval.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On March 10, 2009, the Board approved a revised BPM. On July 29, 2011, the Board reviewed the BPM at a Board Workshop. On September 13, 2011, the Board approved a revised BPM. On October 26, 2011, the Executive Committee reviewed additional changes to the BPM.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:     \_\_\_ Yes     \_\_\_ X No

Funding Source/Recap: None.

Material Included for Information/Consideration: Resolution No. 2011-83; and, Redlined version of Board Procedures Manual.

Staff Recommendation: The Board of Directors review and approve the revisions to the Board Procedures Manual.

Action Required:     \_\_\_ X Resolution     \_\_\_ Motion     \_\_\_ Review  
(Roll call vote is required.)



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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

November 8, 2011

Resolution No. 2011-83  
Resolution of the Board of Directors  
Marina Coast Water District  
Amend the Board Procedures Manual

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 8, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the original Board Procedures Manual (BPM) was adopted on April 24, 2002 and was last revised on September 13, 2011; and,

WHEREAS, the BPM is a resource for directors, staff and the public that defines the roles, responsibilities and procedures of the Board; and,

WHEREAS, the suggested revisions to the BPM have been reviewed by the Executive Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the suggested revisions and updates to the Board Procedures Manual and directs staff to finalize the revisions.

PASSED AND ADOPTED on November 8, 2011 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
William Y. Lee, President

ATTEST:

\_\_\_\_\_  
Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2011-83 adopted November 8, 2011.

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Jim Heitzman, Secretary

# Marina Coast Water District



# Board Procedures Manual

Adopted September 13, 2011



September 13, 2011

Marina Coast Water District  
Board Procedures Manual

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## Board Procedures Manual Revision Record

08-28-02      Added            Section 11-E

“Absence from a Committee: If a committee member’s schedule in any given month precludes that director from attending a regularly scheduled committee meeting, that director will ask the alternate committee member to attend the meeting. If the alternate committee member can not attend the regularly scheduled meeting, the two primary committee members will then select a special committee meeting date and time. If the two primary committee members’ schedules can not accommodate the scheduling of a special meeting date/time, the committee chair will contact the alternate committee member in an attempt to have two directors available for the meeting.”

03-10-09      Revisions were made to Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 20, 21, 27, 28, 30, 32, 33, 34, 35, 37, 39, 45, and 46.

Sections 11 – 46 were renumbered.

Section 14 was moved to Section 11.

Section 12 was moved to Section 43.

Section 13 was moved to Section 44.

Sections 21, 33, and 34 were removed.

09-13-11      Revisions to sections 3, 5, 7P, 9, 9G, 9I, 9J, 11, 12A, 14, 14D, 16, 17, 27, and 40.

Section 17 was removed.

Sections 18 – 43 were renumbered.

An Appendix with Resolution No. 98-1 was added to the end of the document.

## **1. Purpose of Board Procedures Manual.**

The purpose of this Board Procedures Manual is to provide a composite of information on procedures approved by the Board of Directors to be used in the conduct of Board business to provide for the fair and efficient consideration of said matters, to ensure that the public is informed of the matters coming before the Board and has an opportunity to witness the deliberations of the members thereof in the conduct of the Board's business, and to encourage proper public involvement in the deliberations of the Board. <sup>1</sup>. [Each Director, upon assuming office, shall be given a copy of this Board Procedures Manual, shall be asked to acknowledge receipt of the copy in writing and shall be asked to affirm in writing the Director's intent to comply with the policies and procedures in this Board Procedures Manual.](#)

## **2. District Mission.**

The Marina Coast Water District Board of Directors adopted the following mission statement:

*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.*

## **3. Authority.**

The Board of Directors is the governing body of the District and derives its authority from Division 12, Part 3 sections 30500 et seq. of the Water Code of the State of California; and, Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code of the State of California. The District was formed in 1960 under these Codes and has provided water and wastewater services within its service boundaries since that time.

The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

## **4. Governing Laws and Rules.**

The Board of Directors conducts all meetings of the Board and meetings of committees of the Board in accordance with the Ralph M. Brown Act, California's Open Meeting Law. Historically, the Board has conducted its meetings "guided but not bound by" Robert's Rules of Order. Directors must become familiar with the Brown Act, Robert's Rules of Order and the conflict of interest laws in the State of California in order to effectively execute their duties.

## **5. Harassment-Free Work Environment.**

The Board is committed to providing a work environment free of harassment, disrespectful or other unprofessional conduct.

<sup>1</sup>. Resolution 98-1 still contains information about the duties of the General Manager, Financial Officer, Legal Counsel, District Engineer and Consultants.

The District's policy is more fully set forth in the Marina Coast Water District Employee Handbook, and provides that the District maintains a strict policy prohibiting all forms of unlawful harassment, including sexual harassment and harassment based on race, color, religion, national origin, age, sexual orientation, gender identity or any other characteristic protected by state or federal law. This policy applies to all agents and employees of the District, including supervisors, department heads, and non-supervisory employees, and prohibits harassment of employees in the workplace by any person, including non-employees. It also extends to harassment of, or by vendors, independent contractors, and others doing business with the District. Furthermore, this policy prohibits unlawful harassment in any form, including verbal, physical, and visual harassment. It also prohibits retaliation of any kind against individuals who file complaints in good faith or who assist the District in an investigation.

## **6. Attendance at Board and Committee Meetings.**

Directors are expected to carry out their responsibilities to the best of their abilities. In order to accomplish this goal, directors should be present for scheduled meetings of the Board, meetings of board committees, and District events. In accordance with Government Code Section 1770, a director's position may be deemed vacant whenever "he or she ceases to discharge the duties of his or her office for a period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law."

## **7. Duties of the Directors Acting as Members of the District Board of Directors.**

The duties of the directors include:

- A. setting policy and adopting rules and regulations for the governance of the District;
- B. taking action only by the affirmative vote of at least a majority of the directors on ordinances, resolutions and motions;
- C. safeguarding the assets of the District and maintaining the District's financial stability;
- D. assuring that the District is well managed;
- E. assuring the District is responsive to the interests of the voters and the needs of the persons served by the District;
- F. assuring that the actions of the Board and of each director and the actions of all employees of the District conform to all federal, state, and local statutes and ordinances, and to the ordinances, rules, regulations and policies of the District;
- G. assuring that each employee of the District and each constituent of the District is treated courteously and fairly by the District, and that privacy rights of District employees and constituents are safeguarded in accordance with law;

H. making reasonable and diligent inquiry of competent, qualified and reliable advisors and other sources to obtain sufficient information for informed and timely decisions and judgments;

I. assisting the General Manager by looking at problems from broader points of view, and providing outside perspective and guidance;

J. appointing the persons to serve as the District's General Manager and Secretary to the Board, the District's Legal Counsel, the independent Auditor, and such other attorneys, and consultants as the Board determines are necessary or convenient to be appointed by the Board for the business of the District, each of whom shall serve at the pleasure of the Board;

K. establishing rules for and assuring the effective conduct of the Board's proceedings, and adjourning meetings of the Board by 10 p.m. unless the meeting is extended by Board action;

L. preparing for and attending all regular and special meetings of the Board and assigned committees of the Board, unless excused by the Board for good reason;

M. appointing members to the District's Joint District-City Committee, Water Conservation Commission, and such other committees as the Board determines;

N. nominate and elect representatives and alternates to outside boards, committees, and other bodies on which the District is entitled to representation;

O. preparing for and attending all regular and special meetings of boards, committees, and other bodies to which the Board elects a director as the District's representative, or arranging for attendance by an alternate, if the director cannot attend and if the Board has selected an alternate;

P. assuring that the conduct of the District's business is open and public and that actions and records of the District are taken and held in confidence only as permitted by law, including: Article I, Section 3 of the California Constitution; the Ralph M. Brown Act, Govt. Code sections 54950 and following; the Public Records Act, Govt. Code sections 6250 and following, and as necessary to safeguard the assets of the District and to protect the rights of the District's employees;

Q. protecting confidential information of the District, its officers and employees from unauthorized disclosure and dissemination;

R. reporting and avoiding conflicts of interest; and,

S. providing training for Directors in exercising oversight and supervision of management, the roles and responsibilities of Directors, how to understand budgets, how to monitor budget compliance, and how to work together as a team in problem solving.

## **8. Prohibited Service.**

A director shall not be employed or contracted by the District while serving on the Board. As a matter of policy, the Board has chosen to retain an auditor as an independent contractor under Water Code section 30540(b)(2), instead of appointing an auditor or treasurer under Water Code section 30540(b)(1).

## **9. Duties of the President.**

This District shall have a President who shall be elected by the Board from among the five (5) elected directors. The President shall be elected annually in the month of December. No Director shall serve more than three (3) consecutive years as president. The President's responsibilities include:

A. presiding over all meetings of the Board, with guidance from Roberts' Rules of Order, including:

(1). announcing each item of business on the agenda and the recommended motion;

(2). calling for motions;

(3). calling for public participation during meetings when appropriate;

(4). determining questions of order and enforcing rules of the Board;

(5). stating the motion and announcing its passage or failure;

(6). adjourning any regular or special Board meeting which is still in progress at 10 p.m., unless the meeting is extended by Board action; and,

(7). reviewing the agenda in conjunction with the Vice President and the Secretary of the Board.

B. appointing members to Ad Hoc Committees of the Board;

C. serving on committees and commissions as appointed by the Board;

D. setting the time and place for any special meeting of the Board, except a special meeting called by a majority of the Board;

E. adjourning meetings of the Board;

F. representing the District at public events;

G. serving as public spokesperson of the District, along with General Manager;

H. signing all contracts on behalf of the District, except as the Board alternatively authorizes the General Manager or other person, subject to limitations and conditions as the Board may determine;

I. assist with the orientation of new Board members as they are elected or appointed to the Board of Directors; and,

J. upon advice from District Legal Counsel, directing the Management Services Administrator regarding direction to outside legal counsel on matters where the General Manager should not direct counsel as he or she is the subject of a legal issue.

#### **10. Duties of the Vice-President.**

This District shall have one Vice-President who shall be elected by the Board from among the five (5) elected directors at the same time the President is elected. The Vice-President shall be elected annually. It is the Board's policy to rotate the office of Vice-President among the Board members. The Vice-President's responsibilities include:

A. performing all the duties of the President during any absence of the President; and,

B. if for any reason the office of President is vacant, acting in the place of the President until a new President is elected.

#### **11. Orientation, Training and Preparation of Directors.**

Each new director, upon assuming his or her duties, will be provided a comprehensive District orientation by the General Manager and Board President. The Board shall strive to develop and maintain a superior level of competence and preparation among its members through a process of continuing training, education and preparation. Directors may schedule to attend, on behalf of the District, such educational programs, conferences, and meetings to the extent funds are allocated in annual Budgets. Attendance will be scheduled through the Secretary of the Board. The General Manager will from time to time provide the Board lists of such conferences or meetings so that the Board may consider individual or collective attendance with local locations preferred over out-of-town.

#### **12. Board Committees and Commissions.**

A. Committee and Commission Actions. Committee and Commission actions shall be governed by the provisions of the California Water Code and all other applicable California Codes as well as District policies, rules, and regulations. The Board may adopt rules for the governance of any committee not inconsistent with the provisions of the California Codes. Committees have no legal authority to act for the Board or the District except with prior Board approval, but shall report their findings and recommendations to the Board for action. All committees and commissions of the Board are advisory in nature and are authorized only to provide recommendations to the whole Board. Committees and commissions are evaluated periodically by the Board based on their necessity and value to District business.

B Standing Committees. District standing committees shall be the Water Conservation Commission, the Joint City-District Committee, the Executive Committee, and the Community Outreach Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except the Water Conservation Committee which shall have one director appointed. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each director shall serve on one or more standing committees.

(1). Water Conservation Commission: The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be one (1) voting position on the Commission for a member of the City Council of the City of Marina, one (1) representative from the US Army, and one (1) member from CSUMB. The Board will appoint five (5) members of the public from within the area served by the District, for terms of two years. The members of the Water Conservation Commission shall have the duties and responsibilities to:

(a) review ordinances and policies and recommend changes to the Board in matters of water usage by the customers of the District;

(b) review and make recommendations to the Board concerning refinements/adjustments to the water conservation program, including community education;

(c) review and make recommendations to the Board on customer appeals to the District's Water Shortage Contingency Plan, Conservation Ordinance, and conservation provisions of the District Code;

(d) review and make recommendations to the Board on equipment and technologies that promote water conservation;

(e) make recommendations to the Board for actions to inform the public about the District's actions and activities; and,

(f) work with the District staff to produce and distribute a periodic newsletter to the public served by the District.

(2). Joint City-District Committee: The Board President shall serve on this committee. The duties and responsibilities of the Joint District - City Relations Committee shall be:

(a) communicating with the City of Marina and maintaining a harmonious working relationship between the Board and the City officials and staff; and,

(b) reporting to the Board its findings and recommend appropriate action with respect to any inter-agency matters.

(3). Executive Committee: The Board President and Vice President shall serve on this committee. This committee shall meet on an as-needed-basis to discuss topics of a



general nature with the GM. The duties and responsibilities of the Executive Committee shall be:

(a) These meetings will be of a 'pulse check' type to exchange ideas and perspectives regarding the flow of information, etc.

(b) Current projects or pending actions before the Board will specifically not be discussed at these meetings.

(4). Community Outreach Committee: The Board President shall select one Director to serve on this committee. This committee shall meet on an as-needed-basis. The duties and responsibilities of the Community Outreach Committee shall be:

(a) This committee will expand the current communications with the community beyond the current District Newsletter.

C. Special Committees: Special committees may be appointed by the President of the Board or the Board for such special tasks as circumstances warrant. A special or ad hoc committee shall limit its activities to the accomplishment of the task for which it is appointed and shall have no power to act except such as specifically conferred by action of the Board. Upon completion of the task for which appointed, a special committee shall stand discharged.

D. Attendance and Vacancies: Any person serving on a standing or special committee must be prepared for and attend all committee meetings, unless excused for good reason. If a committee member fails to attend meetings of a committee for three consecutive months his or her position as a committee member shall be deemed vacant. In any committee, vacancies shall be filled for the unexpired portion of the term in the same manner as provided in the case of original appointment.

E. Absence from a Committee: If a committee member's schedule in any given month precludes that director from attending a regularly scheduled committee meeting, that director will ask the alternate committee member to attend the meeting. If the alternate committee member cannot attend the regularly scheduled meeting, the two primary committee members will then select a special committee meeting date and time. If the two primary committee members' schedules can not accommodate the scheduling of a special meeting date/time, the committee chair will contact the alternate committee member in an attempt to have two directors available for the meeting.

F. Referral to Committee: Matters may be referred to any committee through the Chair of the committee by the Board, by any director, or by any other person. Each Committee Chair shall discuss each referred matter with the committee.

### **13. Communications.**

The Board and the individual board members will be committed to establishing and maintaining an environment that encourages the open exchange of ideas and information among Board members, the staff and the public, that is positive, honest, respectful, concise, understandable, responsive, and cost-efficient.

#### **14. Code of Ethics.**

AB 1234 requires agencies to provide mandatory ethics training and develop compensation and reimbursement regulations for their agencies. Board members are required to complete an ethics training course every two (2) years. Newly elected and/or appointed Board members are required to complete the course within one (1) year of being sworn in and then follow the two (2) year refresher course time frame. The District encourages training as soon as reasonably possible.

The Board of Directors is committed to providing excellence in legislative leadership that result in the provision of the highest quality services to its constituents. The Board and its individual members are expected to maintain the highest ethical standards, to follow District policies and procedures, and to abide by all applicable local, state, and federal laws. Board member conduct should at all times enhance the integrity and Mission of the District, and the confidence the public has in the District. In order to assist in the governance of the behavior between and among members of the Board, the following rules shall be observed:

- A. The dignity, style, values and opinions of each director shall be respected.
- B. Responsiveness and attentive listening in communications is encouraged.
- C. The needs of the District's constituents should be the priority of the Board.
- D. The primary responsibility of the Board is the formulation and evaluation of policy. All operational aspects of the District are to be delegated to the General Manager.
- E. Directors should commit themselves to emphasizing the positive.
- F. Directors shall commit themselves to focusing on issues and not on personalities.
- G. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board takes action, directors shall commit to supporting said action and not to creating barriers to the implementation of said action.
- H. Any complaints from constituents or others dealing with the District should be referred to the General Manager and may be followed up by the Board.
- I. Any concerns for safety hazards should be reported to the General Manager. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- J. In seeking clarification for policy-related concerns, especially those involving personnel, legal action, property, finance, projects and programs, said concerns should be referred directly to the General Manager.
- K. When approached by District personnel concerning specific District management or operations, Board members should direct all inquiries to the General Manager.
- L. The work of the District is a team effort. All individuals should work together in a collaborative process, assisting each other in the conduct of the District's affairs.
- M. Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
- N. Directors should function as part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
- O. Directors are responsible for monitoring the District's progress in attaining its goals and objectives.
- P. Harassment, in any form, will not be tolerated.

- Q. Directors shall protect confidential information of the District, its officers and employees from unauthorized disclosure and dissemination.
- R. Directors shall report and avoid conflicts of interest.
- S. Training shall be provided for Directors in exercising oversight and supervision of management, the roles and responsibilities of Directors, how to understand budgets, how to monitor budget compliance, and how to work together as a team in problem solving.

#### **15. Comments by Directors Concerning Staff Members.**

Board members shall refrain from publicly censuring or criticizing members of the District staff, but shall instead relay any criticism or problems relating to staff members or the General Manager to the General Manager through private discussions.

#### **16. Interference with the Administrative Service of the District.**

The Board and its members shall deal with the administrative services of the District only through the General Manager, and neither the Board nor any individual director shall give orders or instructions to any subordinate of the General Manager.

Simple Information Requests. - Individual Board members may make simple information requests of staff or consultants, through the General Manager. A simple Information request is one that would take the General Manager, District Staff or Counsel less than one hour to complete in the view of the General Manager.

Substantial Information Requests. - A Substantial Information Request is one that would take the General Manager, District staff, consultant, or Counsel more than two hours to complete in the view of the General Manager. Individual Board members may place an item on any future agenda to request a Substantial Information Request or to add an item on a future agenda. The request shall be made as a motion under the Director's Comments section of the agenda. A majority affirmative vote is necessary to approve the action.

#### **17. Conduct of Business.**

The provisions of the Ralph M. Brown Act (Brown Act) require that all meetings of the Board of Directors to be open and public. Regular District Board meetings shall be held at the District Offices at 11 Reservation Road, Marina, CA. Any change to the regular meeting date or location shall be noticed in accord with the Brown Act. Every meeting shall have public notice and a binding agenda as required by law. The time and place for special meetings shall be set forth on the notice and agenda for each special meeting. The notice and agenda for each meeting of the Board or committees of the Board shall be posted in three public places in accordance with the Brown Act. Except as allowed by law, no action or discussion shall take place on any item not on the posted agenda. Brief responses to questions or comments not on the agenda, however, may occur. Each Board member may place a non-emergency item on the agenda by submitting it to the General Manager, at least seventeen (17) days before the meeting, in a written request for consideration of the issue. Said request shall explain the issue and provide a recommendation for Board action. Emergency matters can be added to the agenda. Teleconferencing will not be used for any meeting unless such use is approved by the Board sufficiently in advance of the meeting to permit compliance with posting requirements under Government Code section

54953(b)(3). Agendas shall be posted at teleconference locations in a place most likely to be seen by the public and also at the specific area or areas where the meeting will be held.

### **18. Directors Preparation for Meetings.**

Board members are to prepare for all Board meetings. In preparing for meetings, directors shall identify the need to obtain any supplemental or clarifying information in order to better prepare or enhance their knowledge to improve the legislative decision-making process, and communicate same to the General Manager. Board members are encouraged to do so as far in advance of the Board meeting as possible, to allow the General Manager to be able to provide the requested additional information.

### **19. Quorums.**

A majority of the Board members (three of the five directors) is needed to be present at the designated meeting location within the jurisdiction of the District to constitute a quorum of the Board. If a quorum is not present no meeting shall take place. For quorums of board committees, a majority of committee members is required. For committees of two (2), both members are required to be present to constitute a quorum and hold a meeting. If a committee quorum is not present, the committee meeting can be adjourned to another time and the lack of a quorum will be reported to the Board.

### **20. Adjourned Meetings.**

The Board of Directors may adjourn any regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may adjourn a meeting. If all members are absent, the General Manager may declare the meeting adjourned to a stated time and place, and he shall cause a written notice of the adjournment to be given in the same manner provided herein for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the front door of the place where the meeting was held within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at 7:00 p.m.

### **21. Special Meetings.**

An emergency or special meeting may be called at any time by the President of the Board, or by a majority of the members of the Board, by following the notice and agenda requirements set forth by California Government Code sections 54956 or 54956.5. No other business shall be considered at such meetings by the Board other than the item(s) requiring the special meeting.

### **22. Parliamentary Procedure.**

A. Rules of Order. The presiding officer shall preserve order and decorum and shall decide on questions of order subject to appeal to the Board. District Legal Counsel shall advise the President as Parliamentarian, guided but not bound by Robert's Rules of Order and this procedures manual.

B. Call for Question. The “call for question” shall be deemed a non-binding request that the presiding officer close debate and bring an issue to an immediate vote. The presiding officer may choose to continue discussion of the issue irrespective of a “call for question.”

C. Motion to Close Debate. The “motion to close debate,” if seconded, shall be a non-debatable motion, and shall have precedence over any other motion except for a parliamentary inquiry, or a motion to adjourn. Should the “motion to close debate” pass by a majority vote, the presiding officer shall thereafter immediately call the question on the principal motion.

D. Non-Roll Call Votes. Following any non-roll call vote, the President shall announce the results of the vote.

E. Roll Call Votes. After a motion has been made and duly seconded, any Board member may call for a roll call vote. Additionally, action on all District resolutions and ordinances and items that expend District funds shall be taken by a roll call vote.

### **23. Order of Business.**

The regular order of business of the Board shall be:

Roll Call  
Closed Session Items  
Pledge of Allegiance  
Oral Communications from the Public  
Special Presentations  
Public Hearings  
Consent Calendar  
Action Items  
Staff Reports  
Informational Items  
Director’s Comments  
Adjournment

The regular order of business may be changed by the President subject to the Board determining otherwise.

### **24. Board Actions.**

All actions of the Board shall be in the form of an ordinance, resolution or motion.

A. Ordinances. The Board shall enact as ordinances any items of business presented to the Board and approved by the Board which: 1) are required by law to be enacted as ordinances, 2) repeal, supersede or amend an existing ordinance, 3) govern the provision of water or sewerage service to customers and the rates, charges, fees or assessments related to such services, 4) adopt a policy, rule or regulation to be enforced as an ordinance, 5) relate to any other item of business which could be adopted as a resolution or motion which the Board

determines to enact as an ordinance. Each ordinance shall state whether it amends the District Code and, if so, which part or parts of the District Code the ordinance amends.

B. Resolutions. The Board shall adopt as resolutions, any items of business presented to the Board and approved by the Board which: 1) are required by law to be adopted by resolution, 2) supersede or amend an item previously adopted by resolution, 3) interpret any ordinance, 4) establish or change a policy, rule or regulation which does not need to be enforced as an ordinance, 5) adopt procedures for the Board, Officers or Staff to use in implementing any ordinance, 6) make a determination (Determination of Exemption, Negative Declaration or Environmental Impact Report) under the California Environmental Quality Act are approved by the Board based on such a determination, 7) adopt or amend a budget, 8) approve any written contract, 9) approve the acquisition or disposition of real property, 10) approve the acquisition of personal property with a value of \$5,000 or more, 11) approve the disposition of personal property, 12) adopt or amend any plan for the District, 13) adopt or amend authorized positions for the District, and 14) relate to any other item of business which could be adopted as a motion and which the Board determines to adopt as a resolution. All resolutions shall state whether the contents of the resolution will become a policy, rule or regulation of the Marina Coast Water District.

C. Motions. The Board shall adopt as motions, any items of business presented to the Board and approved by the Board which: 1) are not required by law to be approved as an ordinance or resolution, 2) are not enacted as ordinances or adopted as resolutions by the Board, and 3) require an action of the Board. If the Board so directs in its motion a motion shall become a rule and regulation of the District.

D. Ordinances, Resolutions and Motions. All ordinances and resolutions shall be adopted by roll call vote. All motions to approve the expenditure or transfer of District funds and to approve personnel actions shall be adopted by role call vote. All motions shall be reflected in the minutes of the Board, which shall state the contents of the motion, who made the motion, who seconded the motion and the ayes and noes on the vote.

E. Compliance with Resolution. The failure by the Board to comply with an ordinance or resolution shall not invalidate any action of the Board unless such non-compliance also violates a specific provision of the law regulating the enactment of ordinances or the adoption of resolutions and motions, and the said provision of law so requires such invalidation.

## **25. Procedure for Action Items.**

The Board shall act only by ordinance, resolution or motion. Except where action is taken by the unanimous vote of all directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions or motions and shall be entered in the minutes. Any member of the Board, including the President, can make a motion. Motions require a second. The President may vote on all motions unless disqualified or abstaining. The President shall not call for a vote on any motion until sufficient time has been allowed to permit any member of the Board to speak. Complex motions should generally be prepared in writing, and if it is necessary for the full understanding of the matter before the Board, the President shall restate the question prior to the vote. Common motions may be stated in abbreviated form, and will be put into complete form in the minutes. Until the President states the question, the maker of the motion

may modify their motion or withdraw it completely. However, after the President has stated the question, the motion may be changed only by a motion to amend which is passed by a majority vote. It shall be the procedure of the Board, when considering all action items, to (1) receive a staff report on the item from the General Manager or the responsible staff person, (2) allow Board members to ask clarifying questions of staff, through the President, (3) receive public comment of the item, (4) seek a motion and a second on a proposed action for the item, (5) provide for Board discussion of the item, and, (6) conclude discussion/debate and consider taking action on the item through an appropriate motion.

## **26. Closed Sessions.**

Meetings of the Board are either open or closed. The Brown Act strongly favors open meetings; private discussions among a majority of a legislative body are prohibited, unless expressly authorized under the Brown Act. The most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the Board or compromise the privacy interests of employees. Closed meetings should involve only directors, plus any additional support staff required, legal counsel, a supervisor involved in a disciplinary matter, consultants, a labor negotiator or any witnesses in the case where the Board is hearing complaints and charges against an employee. Specific authority must be used in agendizing a closed session. Directors have a fiduciary duty to protect the confidentiality of closed session discussions. The California Attorney General has issued an opinion that includes sanctions that could apply to a person who discloses closed session information. For more detailed information on closed sessions see *the California Attorney General's web site and publications*.

## **27. Orderly Discussion.**

In order to promote discussion of the issues before the Board, each member shall be recognized by the President before speaking. Notwithstanding any provision of this procedures manual, however, each member of the Board shall have the right to be heard within reason on any issue before the Board.

## **28. Process for Public Comment.**

The public will always be afforded the opportunity to be heard on any item not on the Board's agenda, at each meeting during the period provided for Public Comment. Unless otherwise authorized by a majority of the Board, speakers will be limited to three (3) minutes during Public Comment.

For all items being considered by the Board on the agenda, after the staff presentation for any public hearing, action item, information item, or consent item, and after staff responds to any clarifying questions from Board members but prior to discussion by the Board, the President shall seek public input. If there is an applicant, the President shall first call upon the applicant to comment on the staff recommendation and to present additional information concerning the application. The President shall then ask for comments from the public. Unless otherwise authorized by a majority of the Board, speakers will be limited to three (3) minutes. The President may, in the interest of facilitating the business of the Board, and avoidance of repetition, limit the amount of time a person may use to address the Board. The President may

close public comment at any time restricting further discussion to the Board level unless a majority of the Board wishes to hear from other persons. At the conclusion of the public comment, if there is an applicant, he/she shall be given the opportunity to respond to the comments received. All questions of staff from the public and Board members shall be addressed to the President. Staff responses shall ordinarily be made only after the hearing has been closed to the public.

### **29. Limitations on Board/Staff Reports.**

At each regular Board meeting, reports or comments by Board members shall be made under the Director's Comments. Reports or comments by staff members shall be made under Staff Reports or Informational Items. Any report from a Board member shall be placed on the meeting agenda with prior consent of the President. Unless authorized by the President, each director shall not exceed five (5) minutes. The President, with consensus of the Board, may defer some or all specified Board reports until after the Board has taken action on any Deferred Consent Calendar Items in the interest of facilitating the business of the Board, or as a courtesy to members of the public desiring to participate in Public Hearings or other Action Items which are also on the meeting agenda. Board members may make comments under the Director's Comments portion of each regular meeting agenda. Director's comments shall be limited to five (5) minutes.

### **30. Referrals.**

Any matter coming before the Board may, if deemed necessary, be referred by the President, without Board action, to the General Manager, District Legal Counsel, or to any standing or special committee of the District.

### **31. Non-Agenda Items/Urgency Action.**

The Board may consider taking action on a non-agenda item if the following specific conditions are satisfied: (1) When a majority of the Board decides there is an "emergency situation"; (2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the District subsequent to the agenda being posted; or (3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

### **32. Reconsideration.**

At the meeting succeeding that on which a final vote on any question has been taken, said vote may be reconsidered on the motion of a member of the Board who voted on the prevailing side. A motion to reconsider shall be in order only if that item had been timely placed on that agenda. It shall not be in order for any member to move a reconsideration at the meeting at which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion.

### **33. Abstention/Conflict of Interest.**

A director shall abstain from voting when he/she has a disabling conflict of interest. In the presence of a declared disabling conflict of interest, the affected director shall enter the



declaration in the Board minutes, shall not participate in discussing that agenda item, shall absent himself/herself from the Board seat, and shall not cast a vote on that matter. If the board member is not personally involved in the matter before the Board, that director shall leave the room. The minutes shall record a director's absence for any circumstance where a board member is not seated at the dais at the time of a vote.

#### **34. Minutes of Board and Board Committee Meetings.**

The minutes of meetings of the Board and of board committees shall be action minutes that will accurately reflect actions of the Board and the committees and the vote taken on such actions, and shall not be verbatim minutes of all matters discussed and comments made at Board or committee meetings.

#### **35. Notification of Absences of Directors.**

If any member of the Board is to be unable to attend a meeting, that Board member shall, if possible, notify the General Manager prior to the meeting.

#### **36. Annual Meeting Schedule.**

The Board shall determine at the beginning of each calendar year the dates for regular Board meetings and regular board committee meetings. Such annual schedule shall include vacation periods, if any, during which no regular meetings will be held.

#### **37. Director's Legal Liabilities.**

The District shall defend and indemnify directors from any claim, liability or demand that arises out of a director's performance of his/her duties or responsibilities as a director or officer of the District to the fullest extent permitted by law.

#### **38. General Provisions.**

Any of the policies or procedures in this procedures manual not required by law may be suspended by a majority of the Board quorum. Any policy or procedure not required by law may be altered, amended or repealed by a majority of the Board quorum at a duly authorized and noticed meeting.

#### **39. Gifts.**

According to the California Fair Political Practices Commission, local officials such as directors and officers of this District are prohibited from accepting a gift or gifts totaling more than \$420 in a calendar year from a single source, from January 1, 2011 through December 31, 2010. This amount is adjusted biennially on January 1 of each odd-numbered year. Gift means anything of value, for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is \$50 or more. For more detailed information, please refer to the instructions for FPPC Form 700, Statement of Economic Interests, or visit the FPPC web site at [www.fppc.ca.gov](http://www.fppc.ca.gov).

#### **40. Board Member Compensation.**

Each member of the Board of Directors may receive compensation for his/her services at a rate to be determined by the Board from time to time. As of March 10, 2009, the Board has not authorized any monthly or meeting attendance compensation for its directors. Directors shall be reimbursed for actual necessary expenses incurred in the performance of official business of the District pursuant to assignment of the Board consistent with the reimbursement schedules and policies of the District.

#### **41. Political Activity.**

It is the policy of the District to discourage officers and employees of the District from engaging in political activity during working hours, and to discourage Directors, officers and employees from engaging in political activities on the premises of the District, except at and during public meetings of the Board.

#### **42. Payment of Bills.**

All checks and warrants over \$25,000 shall be cosigned by a Director.

#### **43. Director's Violation of Policies.**

If a Director breaches any of the policies contained in Sections 5, 8, 13, 14, 15, 16, 17, 33, 39, and 41 the Board may, in addition to any other consequences provided by law, publicly censure the offending Director and may as part of the censure take any or all of the following other actions, to be effective for a time determined by the Board:

a) remove the offending Director from committees and representative positions to which the Director has been appointed or designated by the Board,

b) prevent the offending Director from placing items on the agenda without the specific, advance authorization of the Board

# Appendix

Resolution No. 98-1 and Amendments

Resolution No. 98-1

**A Resolution of the Board of Directors of  
Marina Coast Water District  
Adopting Policy Regarding Directors, General Manager,  
Officers, Legal Counsel, District Engineer, Auditor,  
Financial Officer, Consultants, Committees,  
enactment of Ordinances and Adoption of Resolutions and Motions**

JANUARY 14, 1998

RESOLVED by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a regular meeting duly called and held on November 12, 1997, at the City Council Chambers at City Hall, Marina, California, as follows:

WHEREAS, THE BOARD FINDS AS FOLLOWS:

1. Authority. Division 12, Part 3, sections 30500 et seq. of the Water Code and Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code provide the statutory authority for this action.
2. Findings. The promotion of efficient and effective management of the meetings of the Board and the conduct of the business of the District, requires the clear delineation of the duties and responsibilities of its Directors, General Manager, Secretary Auditor, Legal Counsel, District Engineer, Financial Officer, consultants and staff, and rules for the Board's proceedings.
3. Prior Resolutions. Resolution 91-18, adopted November 12, 1991, and Resolution 93-3, adopted January 28, 1993, established the District's policy on the matters contained in this Resolution 97-X. It is appropriate at this time to restate the District's policy on those matters, and to supersede Resolutions 91-18 and 93-3.

NOW THEREFORE, THE BOARD RESOLVES AS FOLLOWS:

A. Board of Directors.

1. Duties of the Board. The Board is the governing body of the District. Each Director, whether elected or appointed, is ultimately accountable to the voters for the effective and efficient operation of the District. The Directors' duties include:
  - a. setting policy and adopting rules and regulations for the governance of the District;

- b. taking action only by the affirmative vote of at least a majority of the directors on ordinances, resolutions and motions;
- c. safeguarding the assets of the District and maintaining the District's financial stability;
- d. assuring that the District is well managed;
- e. assuring that District is responsive to the interests of the voters and the needs of the persons served by the District;
- f. assuring that the actions of the Board and each director and the actions of the General Manager and the Financial Officer and other officers and employees of the District conform to all federal, state, and local statutes and ordinances, and to the ordinances, rules, regulations and policies of the District;
- g. assuring that each employee of the District and each constituent of the District is treated courteously and fairly by the District, and that privacy rights of District employees and constituents are safeguarded in accordance with law;
- h. making reasonable and diligent inquiry of competent, qualified and reliable advisors and other sources to obtain sufficient information for informed and timely decisions and judgments ;
- i. assisting the general manager by looking at problems from broader points of view, providing outside perspective and guidance;
- j. appointing the persons to serve as the District's General Manager and Secretary to the Board, the District's Legal Counsel, the District Engineer, the independent Auditor, and such other officers, employees, attorneys, engineers and consultants as the Board determines are necessary or convenient for the business of the District, each of whom shall serve at the pleasure of the Board;
- k. confirming the General Manager's selection of the person to serve as the District's Financial Officer;
- l. establishing rules for and assuring the effective conduct of the Board's proceedings, and adjourning meetings of the Board by 10 p.m. unless the meeting is extended by Board action;
- m. preparing for and attending all regular and special meetings of the Board and committees of the Board, unless excused by the Board for good reason;

n. appointing members to the District's Budget and personnel committee, Operations and Maintenance Committee, Fort Ord Committee, Joint District-City Committee, Water Conservation Commission, and such other committees as the Board determines to appoint;

o. electing representatives and alternates to outside boards, committees, and other bodies on which the District is entitled to representation;

p. preparing for and attending all regular and special meetings of boards, committees, and other bodies to which the Board elects a director as the District's representative, or arranging for attendance by an alternate, if the director cannot attend and if the Board has selected an alternate;

q. assuring that the conduct of the District's business is open and public and that actions and records of the District are taken and held in confidence only as permitted by law and as necessary to safeguard the assets of the District and to protect the rights of the District's employees;

r. protecting confidential information of the District and its employees from unauthorized disclosure and dissemination; and

s. reporting and avoiding conflicts of interest.

t. providing training for Directors in exercising oversight and supervision of management, the roles and responsibilities of Directors, how to understand budgets, how to monitor budget compliance, and how to work together as a team in problem solving.

2. **Prohibited Service.** A director shall not be appointed to serve as General Manager, Secretary, Financial Officer, or Auditor. As a matter of policy, the Board has chosen to retain an auditor as an independent contractor under Water Code section 30540(b)(2), instead of appointing an auditor or treasurer under Water Code section 30540(b)(1).

3. **Attendance and Vacancies.** A director's office becomes vacant on the happening of any of the events specified in Government Code Section 1770, before the expiration of the term, including his/her ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.

B. **Board Actions.** All actions of the Board shall be in the form of an ordinance, resolution or motion.

1. **Ordinances.** The Board shall enact as ordinances any items of business presented to the Board and approved by the Board which: 1) are required

by law to be enacted as ordinances, 2) repeal, supersede or amend an existing ordinance, 3) govern the provision of water or sewerage service to customers and the rates, charges, fees or assessments related to such services, 4) adopt a policy, rule or regulation to be enforced as an ordinance, 5) relate to any other item of business which could be adopted as a resolution or motion which the Board determines to enact as an ordinance. Each ordinance shall state whether it amends the District Code and, if so, which part or parts of the District Code the ordinance amends.

2. Resolutions. The Board shall adopt as resolutions, any items of business presented to the Board and approved by the Board which: 1) are required by law to be adopted by resolution, 2) supersede or amend an item previously adopted by resolution, 3) interpret any ordinance, 4) establish or change a policy, rule or regulation which does not need to be enforced as an ordinance, 5) adopt procedures for the Board, Officers or Staff to use in implementing any ordinance, 6) make a determination (Determination of Exemption, Negative Declaration or Environmental Impact Report) under the California Environmental Quality Act are approved by the Board based on such a determination, 7) adopt or amend a budget, 8) approve any written contract, 9) approve the acquisition or disposition of real property, 10) approve the acquisition of personal property with a value of \$5,000.00 or more, 11) approve the disposition of personal property, 12) adopt or amend any plan for the District, 13) adopt or amend a schedule of authorized positions for the District, and 14) relate to any other item of business which could be adopted as a motion and which the Board determines to adopt as a resolution. All resolutions shall state whether the contents of the resolution will become a policy, rule or regulation of the Marina Coast Water District.

3. Motions. The Board shall adopt as motions, any items of business presented to the Board and approved by the Board which: 1) are not required by law to be approved as an ordinance or resolution, 2) are not enacted as ordinances or adopted as resolutions by the Board, and 3) require an action of the Board. If the Board so directs in its motion a motion shall become a rule and regulation of the District.

4. Form of Ordinances, Resolutions and Motions. All ordinances and resolutions shall be adopted in substantially similar form to the form ordinance and resolution attached as Exhibits "A" and "B." All motions shall be reflected in the minutes of the Board, which shall state the contents of the motion, who made the motion, who seconded the motion and the ayes and noes on the vote. All ordinances and resolutions shall be adopted by roll call vote. All motions to approve the expenditure or transfer of District funds and to approve personnel actions shall be adopted by role call vote.

5. Compliance with Resolution. The failure by the Board to comply with this Resolution shall not invalidate any action of the Board unless such non-

compliance also violates a specific provision of the law regulating the enactment of ordinances or the adoption of resolutions and motions.

C. President: Duties. This District shall have a President who shall be elected by the Board from among the five (5) elected directors. The President shall be elected annually. It is the Board's policy to rotate the office of President among the Board members. The President's responsibilities include:

1. presiding over all meetings of the Board, with guidance from the Roberts' Rules of Order, including:
  - a. announcing each item of business on the agenda and the recommended motion;
  - b. calling for motions;
  - c. calling for public participation during meetings when appropriate;
  - d. determining questions of order and enforce rules of the Board; and
  - e. stating the motion and announcing its passage or failure;
  - f. calling for a motion to adjourn any regular or special Board meeting which is still in progress at 10 p.m.
2. appointing members to Committees of the Board, except the Budget and Personnel, Operations and Maintenance, Water Conservation, Fort Ord and Joint District City Relations Committees, and appointing a person to serve as liaison to the Monterey County Local Agency Formation Commission;
3. serving on committees and commissions as appointed or elected by the Board or the President;
4. setting the time and place for any special meeting of the Board, except a special meeting called by a majority of the Board;
5. adjourning meetings of the Board;
6. representing the District at public events;
7. serving as public spokesperson of the District; and



8. signing all contracts on behalf of the District, except as the Board alternatively authorizes the General Manager or other person, subject to limitations and conditions as the Board may determine.

D. Vice-President: Duties. This District shall have one Vice-President who shall be elected by the Board from among the five (5) elected directors. The Vice-President shall be elected annually. It is the Board's policy to rotate the office of Vice-President among the Board members. The Vice-President's responsibilities include:

1. performing all the duties of the President, during any absence of the President; and

2. if for any reason the office of President is vacant, acting in the place of the President until a new President is elected.

E. General Manager: Duties. This District shall have one person who shall be appointed by the Board to serve as General Manager of the District and Secretary to the Board.

1. Responsibilities as the General Manager of the District include:

a. managing, with full charge and control, the maintenance, operation, and construction of the water-works and other physical facilities of the District in conformance with Board established policies and objectives;

b. developing administrative rules, regulations, procedures and programs to implement the policies established by the Board and assuring that all policies are effectively administered and controlled;

c. having full power and authority to employ and discharge all employees and assistants at will;

d. fixing and altering the compensation of employees and assistants subject to approval by the Board;

e. providing for the optimum utilization of managers and staffing with competent people;

f. assuring that the limitations of staff authority are defined and understood with respect to policy, commitment, expenditures and action;

g. developing staff so that qualified successors are available when needed;

h. proposing an annual budget; and

i. performing any other duties imposed by the Board.

2. Responsibilities as the Secretary of the Board include:

a. reporting to the Board in accordance with the rules and regulations as the Board adopts;

b. countersigning all contracts on behalf of the District;

c. planning and managing the agendas of the Board to assure the Board is fully informed on conditions of the District and factors affecting their decision;

d. ensuring that sufficient, well analyzed and weighted staff work is provided.

e. executing all documents or commitments as may be required by action or policies of the Board;

f. recording the actions of the Board, and, except where action is taken by the unanimous vote of all directors present and voting, taking the ayes and noes upon the passage of all ordinances, resolutions, and motions, and entering the ayes and noes upon the minutes of the Board;

g. preparing for all meetings the Board agendas, minutes, resolutions, ordinances, and policies;

h. receiving documents addressed to the Board and preparing written correspondence, including acceptance of subpoenas, petitions;

i. attesting to the signature of the President of the Board on documents;

j. certify resolutions and minutes;

k. receiving and filing statements with the Fair Political Practices Commission;

l. administering the oath of office to members of the Board;

m. maintaining the records and documents of the Board (minute books, resolutions, ordinance, policies);

n. publishing and posting notices;

- o. calling meetings to order in absence of President or Vice President and presiding until an acting President is selected;
- p. adjourning meetings in absence of a quorum;
- q. maintaining custody of the District seal;
- r. ensuring appropriate staff support for Committee meetings; and
- s. performing any other duties assigned by the Board.

F. Financial Officer: Duties. This District shall have one person who shall be selected by the General Manager and confirmed by the Board to serve as the District's Financial Officer. The person appointed as General Manager of the District may not serve as the Financial Officer. The Financial Officer's responsibilities include:

1. installing and maintaining a system of accounting;
2. depositing, managing and investing the District funds in accordance with law, particularly Government Code sections 53630 and following;
3. managing the financial operations and expenditure of funds in conformity with the approved annual budget and within limits established by Board policy;
4. reviewing and presenting monthly investment and disbursement reports, budget comparative and financial status reports to the Board;
5. drawing and co-signing warrants to pay demands made against the District when such demands have been approved or authorized by the Board;
6. performing any other duties assigned by the Board.

G. Legal Counsel: Duties. The Board shall employ an individual or firm of attorneys licensed to practice law in the State of California, to advise and represent the District to assure full compliance with the requirements of the District Enabling Act and applicable laws. Legal counsel shall serve at the pleasure of the Board of Directors at the direction of the General Manager, subject to direction by the Board. The resolution appointing the Legal Counsel shall include terms of an agreed upon fee schedule. Legal Counsel shall be responsible for:

1. reviewing, preparing as requested by the Board or General Manager and making appropriate comment on matters or recommendations presented in written or oral form;

2. reviewing and preparing as requested by the Board or General Manager notices, agendas, resolutions, ordinances, minutes, agreements, contracts and supporting materials in advance of meetings;

3. attending each meeting of the Board, unless excused, in advance or during a meeting, by the General Manager or President of the Board; and

4. attending Board Committee meetings, upon request of the General Manager or Committee chairperson, as well as other business meetings of the District as requested by the General Manager.

H. District Engineer: Duties. The Board may employ an individual or firm to advise the District in order it may be in full compliance with engineering and technical standards and procedures to meet the requirements of the District Enabling Act and applicable laws. The District Engineer shall serve at the pleasure of the Board of Directors at the direction of the General Manager, subject to direction by the Board. The resolution appointing the District Engineer shall include terms of an agreed upon fee schedule. The District Engineer shall be responsible for:

1. reviewing, preparing as requested by the Board or General Manager, and making appropriate comment on matters or recommendations presented in written or oral form;

2. reviewing and preparing as requested by the Board or General Manager notices, agendas, resolutions, ordinances, minutes, agreements, contracts and supporting materials in advance of meetings;

3. attending each meeting of the Board, unless excused in advance or during a meeting by the General Manager or President of the Board;

4. attending Board Committee meetings, upon request of the General Manager or Committee chairperson, as well as other business meetings of the District as requested by the General Manager; and

5. Preparing and reviewing plans, specifications, proposals and reports as requested by the Board or General Manager.

I. Consultants: Duties. The District may engage outside consultants by resolution of the Board to obtain expertise, skills and knowledge needed by the District, with the recommendation and advice of the General Manager.

Consultants shall serve at the pleasure of the Board and direction of the General Manager, subject to direction by the Board. The resolution appointing a consultant shall specify in detail the scope of work and an agreed upon fee schedule.

J. Committees.

1. Action: Committee actions shall be governed by and held and taken in accordance with the provisions of the California Water Code and all other applicable California Codes as well as District policies, rules, and regulations. ~~Also,~~ The Board may adopt rules for the government of any committee not inconsistent with the provisions of the California Codes. Committees have no legal authority to act for the District except with prior approval, but shall report their findings and recommendations to the Board for action.

2. Standing Committees: District standing committees shall be the Budget and Personnel Committee, the Operations and Maintenance Committee, the Water Conservation Commission, the Fort Ord Committee, the Public Relations Committee and the Joint District City Relations Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except that the Water Conservation Commission shall have one Director. Each committee except the Budget and Personnel Committee and the City-District Committee shall have at least one member of the public. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each director shall serve on one or more standing committees. Each standing committee except the Public Relations Committee shall hold at least one regularly-scheduled, monthly meeting, and shall be encouraged to hold one meeting during the first two weeks of the month. The Public Relations Committee shall meet in odd months during the first two weeks of the month.

a. Budget and Personnel Committee: The duties and responsibilities of the Budget and Personnel Committee shall be:

(1) developing and recommending a financial policy to the Board;

(2) reviewing the District's annual operating budget and to making recommendations thereon to the Board;

(3) reviewing the monthly financial statement of the District;

(4) advising the Board on methods and procedures which will assure that the financial policies adopted by the Board are carried out;

(5) reviewing and advising the Board on financial feasibility of District projects, acting on undertakings referred to it by the Board and the Treasurer;

(6) requesting an annual audit and advising the Board concerning the selection of the District's Treasurer;

(7) receiving, reviewing, and evaluating the findings and financial reports of the outside auditors, including any and all management letters; and, based thereon, making recommendations to the Board concerning the financial operations of, and services provided by, the District;

(8) reviewing vouchers and recommendations for purchases and making a final recommendation to the Board regarding purchase and appropriate vendor;

(9) reviewing salary and wage levels, as proposed by the General Manager; and

(10) reporting and making personnel recommendations to the Board that are consistent with the Committee's budgetary review.

b. Operations and Maintenance Committee: The duties and responsibilities of the Operations and Maintenance Committee shall be:

(1) reviewing and making recommendations to the Board on the operation and maintenance of the District's works, as defined in section 30024 of the Water Code; and

(2) reviewing and making recommendations to the Board for regular and emergency operation and maintenance procedures and related expenditures.

c. Water Conservation Commission:

(1) The members of the Water Conservation Commission shall have the duties and responsibilities to:

(a) review ordinances and policies and recommend changes to the Board in matters of water usage by the customers of the District;

(b) review and make recommendations to the Board concerning refinements/adjustments to the water conservation program which includes community education;

(c) review and make recommendations to the Board on customer appeals to the District's Water Shortage Contingency Plan, Conservation Ordinance, and conservation provisions of the District Code;

(d) review and make recommendations to the Board on equipment and technologies that promote water conservation.

(2) The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be a voting position on the Commission for a member of the City Council. The Board will appoint 5 members of the public from within the District, for terms of two years.

d. Fort Ord Committee: The duties and responsibilities of the Fort Ord Committee shall be:

(1) reviewing existing policies and recommend changes to the Board where appropriate in matters involving service to the former Fort Ord military base;

(2) maintaining a liaison relationship with FORA's Water/Wastewater Oversight Committee.

e. Public Relations Committee: The duties and responsibilities of the Public Relations Committee shall be:

(1) make recommendations to the Board for actions to inform the public about the District's actions and activities;

(2) work with District staff to produce and distribute a periodic newsletter to the public served by the District.

f. Joint District - City Relations Committee: The duties and responsibilities of the Joint District - City Relations Committee shall be:

(1) communicating with the City of Marina and maintaining a harmonious working relationship between the Board and the City officials and staff; and

(2) reporting to the Board its findings and recommend appropriate action with respect to any inter-agency matters.

(3) The Board President shall serve on this committee.

3. Special Committees: Special committees may be appointed by the President of the Board or the Board for such special tasks as circumstances warrant. A special or ad hoc committee shall limit its activities to the

accomplishment of the task for which it is appointed and shall have no power to act except such as specifically conferred by action of the Board. Upon completion of the task for which appointed, a special committee shall stand discharged.

4. Attendance and Vacancies: Any person serving on a standing or special committee must be prepared for and attend all committee meetings, unless excused for good reason. If a committee member fails to attend meetings of a committee for three consecutive months his or her position as a committee member shall be deemed vacant. In any committee, vacancies shall be filled for the unexpired portion of the term in the same manner as provided in the case of original appointment.

5. Referral to Committee: Matters may be referred to any committee through the Chair of the committee by the Board, by any director, or by any other person. Each Committee Chair shall discuss each referred matter with the committee. Except with a majority vote of the Board to remove the matter from the committee, the Board will not consider for action any matter referred to a committee until the Board has received a written recommendation on the matter from the committee.

K. Political Activity. It is the policy of the District to discourage officers and employees of the District from engaging in political activity during working hours, and to discourage Directors, officers and employees from engaging in political activities on the premises of the District, except at and during public meetings of the Board.

L. Payment of Bills. It is the policy of the District to pay bills promptly to take advantage of all financial incentives. All checks and warrants over \$500.00 shall be cosigned by a Director. The General Manager and Financial Officer shall develop administrative procedures to deal with timely payment of bills, and to deal with bills as to which there are questions of irregularity in performance, service, quality, amount, timeliness of performance or other deficiency.

M. The provisions of this Resolution 97-X shall be District policy, superseding the policies adopted by Resolutions 91-18 and 93-3.




On motion of Director Wilmot, seconded by Director Randle, the foregoing resolution is PASSED AND ADOPTED on January 14, 1998 by the Board of Directors of the Marina Coast Water District by the following roll call of the Board:

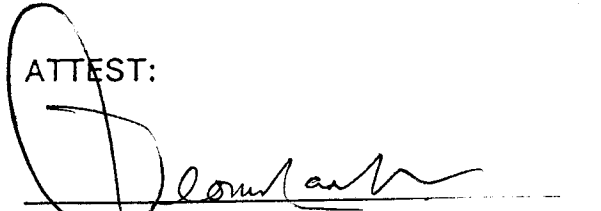
AYES- DIRECTORS: Smith, Randle, Wilmot, Nishi and Moore

NOES- DIRECTORS: None

ABSENT- DIRECTORS: None

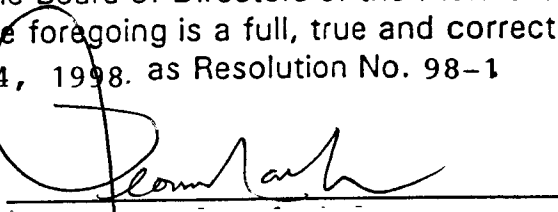
  
Emmette Randle, Jr., President

ATTEST:

  
Leo M. Laska, General Manager

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of Directors of the Marina Coast Water District, hereby certifies that the foregoing is a full, true and correct copy of the resolution adopted on January 14, 1998. as Resolution No. 98-1

  
Leo M. Laska, Secretary

**RESOLUTION NO. 98-11**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
**MARINA COAST WATER DISTRICT**  
**AMENDING RESOLUTION NO. 98-1**  
**POLICY REGARDING DIRECTORS, GENERAL MANAGER,**  
**OFFICERS, LEGAL COUNSEL, DISTRICT ENGINEER, AUDITOR,**  
**FINANCIAL OFFICER, CONSULTANTS, COMMITTEES,**  
**ENACTMENT OF ORDINANCES AND ADOPTION OF RESOLUTIONS**  
**AND MOTIONS**  
**July 29, 1998**

**RESOLVED** by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a regular meeting duly called and held on July 29, 1998, at the business office of the District, 11 Reservation Road, Marina, California as follows:

**WHEREAS, THE BOARD FINDS AS FOLLOWS:**

- 1. Per Division 12, Part 3, section 305000 et seq. of the Water Code and Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code; the District adopted Resolution No. 98-1 on January 14, 1998.**
- 2. Status of District Engineer has changed from consulting status to a full time regular employee of the District.**
- 3. Date of status change was July 2, 1998.**

**NOW THEREFORE, THE BOARD RESOLVES AS FOLLOWS:**


**A. Section H of Resolution No. 98-1 shall be amended to read; the District Engineer, as with all District employees, shall serve at the pleasure of the General Manager.**

**PASSED AND ADOPTED** by the Board of Directors of the Marina Coast Water District by the following roll call vote of the Board:

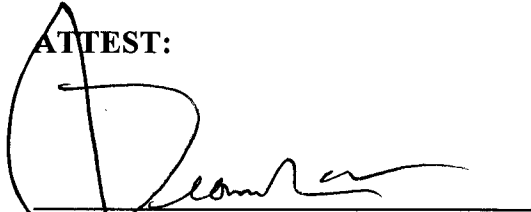
**AYES: DIRECTORS** Randle, Moore and Bryson

**NOES: DIRECTORS** None

**ABSENT: DIRECTORS** Wilmot and Smith

  
**Emmette Randle, Jr., President**

ATTEST:

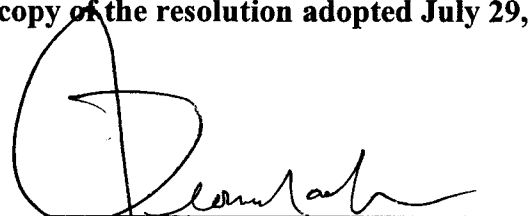


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Leo M. Laska, Secretary

**CERTIFICATE OF SECRETARY**

**The undersigned Secretary of the Board of the Marina Coast Water District, hereby certifies that the foregoing is a full, true and correct copy of the resolution adopted July 29, 1998.**



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Leo M. Laska, Secretary

**RESOLUTION NO. 99-18**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
**MARINA COAST WATER DISTRICT**  
**AMENDING RESOLUTION NO. 98-1**  
**POLICY REGARDING DIRECTORS, GENERAL MANAGER,**  
**OFFICERS, LEGAL COUNSEL, DISTRICT ENGINEER, AUDITOR,**  
**FINANCIAL OFFICER, CONSULTANTS, COMMITTEES,**  
**ENACTMENT OF ORDINANCES AND ADOPTION OF RESOLUTIONS**  
**AND MOTIONS**  
**November 17, 1999**

**RESOLVED** by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a regular meeting duly called and held on November 17, 1999, at the business office of the District, 11 Reservation Road, Marina, California as follows:

**WHEREAS, THE BOARD FINDS AS FOLLOWS:**

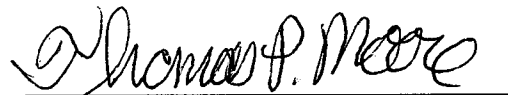
- 1. Per Division 12, Part 3, section 305000 et seq. of the Water Code and Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code; the District adopted Resolution No. 98-1 on January 14, 1998 and amended on July 29, 1998.**
- 2. Per Section J, Chapter C, Article 2 which now reads; The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be a voting position on the Commission for a member of the City Council. The Board will appoint 5 members of the public from within the District, for terms of two years.**
- 3. The Water Conservation Committee recommends policies, conservation programs and activities to the Marina Coast Water District Board of Directors.**
- 4. The District's Water Conservation Ordinance applies to the Marina service area and, after the Public Benefit Conveyance, will also apply to the service area on the former Fort Ord.**
- 5. All service areas should be represented in order to provide full knowledge and input of the issues to the Directors.**

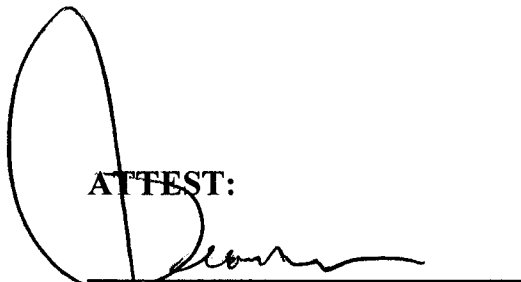
**NOW THEREFORE, THE BOARD RESOLVES AS FOLLOWS:**

**A. Section J of Resolution No. 98-1 shall be amended to read; The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be a voting position on the Commission for a member of the City Council. The Board will appoint 5 members of the public from within the District, for terms of two years, and 2 members who are residents of the former Fort Ord for the term of one year or until the PBC is passed, whichever occurs first. For the residents of the former Fort Ord, at the end of the one-year term, if the PBC has not yet passed, the Board will re-evaluate their representation.**

**PASSED AND ADOPTED by the Board of Directors of the Marina Coast Water District by the following roll call vote of the Board:**

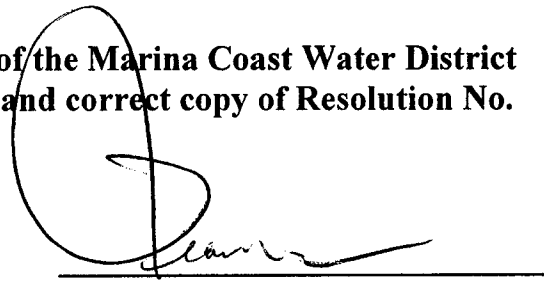
**AYES: DIRECTORS Brown, Bibber, Randle, Bryson, Moore**  
**NOES: DIRECTORS None**  
**ABSENT: DIRECTORS None**

  
**Tom Moore, President**

**ATTEST:**  
  
**Leo M. Laska, Secretary**

**CERTIFICATE OF SECRETARY**

**The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 99-18 adopted November 17, 1999.**

  
**Leo M. Laska, Secretary**

Resolution No. 2000-05  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending Resolution No. 98-1  
Policy Regarding Directors, General Manager,  
Officers, Legal Counsel, District Engineer, Auditor, Financial Officer, Consultants, Committees,  
Enactment of Ordinances and Adoption of Resolutions and Motions  
February 23, 2000

RESOLVED by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a regular meeting duly called and held on February 23, 2000, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, THE BOARD FINDS AS FOLLOWS:

1. Per Division 12, Part 3, section 305000 et seq. of the Water Code and Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code; the District adopted Resolution No. 98-1 on January 14, 1998 and amended on July 29, 1998 and November 17, 1999.

2. Per Section J, Article 2 which now reads; District standing committees shall be the Budget and Personnel Committee, the Operations and Maintenance Committee, the Water Conservation Commission, the Fort Ord Committee, the Public Relations Committee and the Joint District City Relations Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except that the Water Conservation Commission shall have one Director. Each committee except the Budget and Personnel Committee and the City-District Committee shall have at least one member of the public. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each Director shall serve on one or more standing committees. Each standing committee except the Public Relations Committee shall hold at least one regularly-scheduled, monthly meeting, and shall be encouraged to hold one meeting during the first two weeks of the month. The Public Relations Committee shall meet in odd months during the first two weeks of the month.

3. Per Section J, Article 2, Chapter D which now reads; Fort Ord Committee: The duties of the Fort Ord Committee shall be:

- (1) reviewing existing policies and recommend changes to the Board where appropriate in matters involving service to the former Fort Ord military base;
- (2) maintaining a liaison relationship with FORA's Water/Wastewater Oversight Committee.

NOW THEREFORE, THE BOARD RESOLVES AS FOLLOWS:

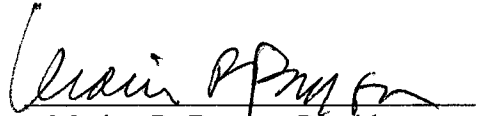
1. Section J, Article 2 shall be amended to read; District standing committees shall be the Budget and Personnel Committee, the Operations and Maintenance Committee, the Water Conservation Commission, the Projects and Planning Committee, the Public Relations Committee and the Joint District City Relations Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except that the Water Conservation Commission shall have one Director. Each committee except the Budget and Personnel Committee and the City-District Committee shall have at least one member of the public. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each Director shall serve on one or more standing committees. Each standing committee except the Public Relations Committee shall hold at least one regularly-scheduled, monthly meeting, and shall be encouraged to hold one meeting during the first two weeks of the month. The Public Relations Committee shall meet in odd months during the first two weeks of the month.

2. Per Section J, Article 2, Chapter D shall be amended to read; Projects and Planning Committee: The duties of the Projects and Planning Committee shall be:

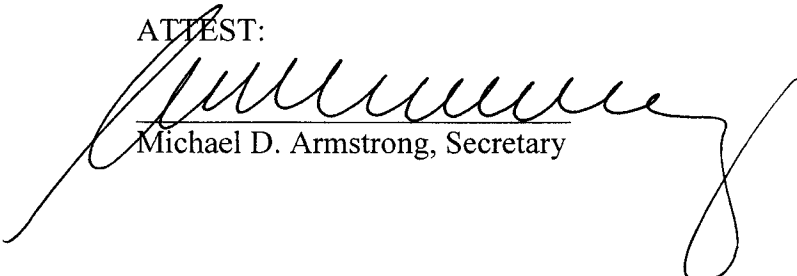
- (1) review existing projects and make recommendations to the Board, as appropriate
- (2) review staff reports on proposed projects and make recommendations to the Board, as appropriate

PASSED AND ADOPTED by the Board of Directors of the Marina Coast Water District by the following roll call vote of the Board:

Ayes: Directors Bibber, Bryson, Randle, Moore  
Noes: Directors None  
Absent: Directors Brown

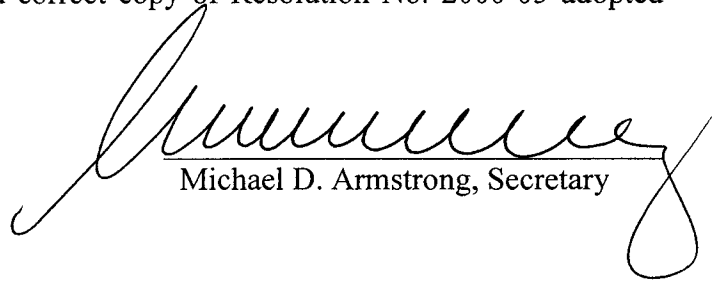
  
Marion R. Bryson, President

ATTEST:

  
Michael D. Armstrong, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2000-05 adopted February 23, 2000.

  
Michael D. Armstrong, Secretary



Resolution No. 2000-07  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending Resolution No. 98-1  
Policy Regarding Directors, General Manager,  
Officers, Legal Counsel, District Engineer, Auditor, Financial Officer, Consultants, Committees,  
Enactment of Ordinances and Adoption of Resolutions and Motions  
March 22, 2000

RESOLVED by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a regular meeting duly called and held on March 22, 2000, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, THE BOARD FINDS AS FOLLOWS:

1. Per Division 12, Part 3, section 305000 et seq. of the Water Code and Division 2, Part 1, Chapter 4, Article 2, sections 53630 et seq. of the Government Code; the District adopted Resolution No. 98-1 on January 14, 1998 and amended on July 29, 1998, November 17, 1999, and February 23, 2000.

2. Per Section J, Article 2 which now reads; District standing committees shall be the Budget and Personnel Committee, the Operations and Maintenance Committee, the Water Conservation Commission, the Projects and Planning Committee, the Public Relations Committee and the Joint District City Relations Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except that the Water Conservation Commission shall have one Director. Each committee except the Budget and Personnel Committee and the City-District Committee shall have at least one member of the public. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each Director shall serve on one or more standing committees. Each standing committee except the Public Relations Committee shall hold at least one regularly-scheduled, monthly meeting, and shall be encouraged to hold one meeting during the first two weeks of the month. The Public Relations Committee shall meet in odd months during the first two weeks of the month.

3. Per Section J, Article 2, Chapter E which now reads; Public Relations Committee: The duties and responsibilities of the Public Relations Committee shall be:

- (1) make recommendations to the Board for actions to inform the public about the District's actions and activities;
- (2) work with District staff to produce and distribute a periodic newsletter to the public served by the District.

NOW THEREFORE, THE BOARD RESOLVES AS FOLLOWS:

1. Section J, Article 2 shall be amended to read; District standing committees shall be the Budget and Personnel Committee, the Operations and Maintenance Committee, the Water Conservation Commission, the Projects and Planning Committee, and the Joint District City Relations Committee. Each committee shall consist of two Directors and such other persons as the Board may appoint, except that the Water Conservation Commission shall have one Director. Each committee except the Budget and Personnel Committee and the City-District Committee shall have at least one member of the public. Public members of the Water Conservation Commission shall be appointed for terms of two years. Public members of committees shall not receive confidential information of the District and shall not participate in closed meetings except with advice of Legal Counsel. Each Director shall serve on one or more standing committees. Each standing committee shall hold at least one regularly scheduled, monthly meeting, and shall be encouraged to hold one meeting during the first two weeks of the month.

2. Per Section J, Article 2, Chapter E shall be removed.

3. Per Section J, Article 2, Chapter C shall be amended to read; Water Conservation Commission:


(1) The members of the Water Conservation Commission shall have the duties and responsibilities to:

- (a) review ordinances and policies and recommend changes to the Board in matters of water usage by the customers of the District;
- (b) review and make recommendations to the Board concerning refinements/adjustments to the water conservation program which includes community education;
- (c) review and make recommendations to the Board on customer appeals to the District's Water Shortage Contingency Plan, Conservation Ordinance, and conservation provisions of the District Code;
- (d) review and make recommendations to the Board on equipment and technologies that promote water conservation;
- (e) make recommendations to the Board for actions to inform the public about the District's actions and activities;
- (f) work with District staff to produce and distribute a periodic newsletter to the public served by the District.

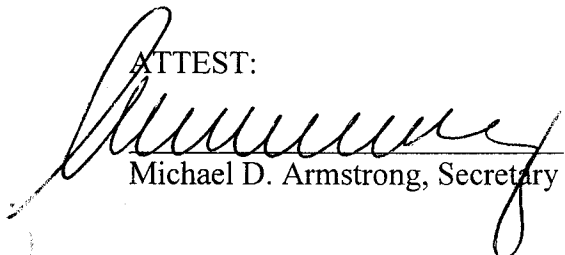
(2) The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be a voting position on the Commission for a member of the City Council. The Board will appoint 5 members of the public from within the District, for terms of two years, and 2 members who are residents of the former Fort Ord for the term of one year or until the PBC is passed, whichever occurs first. For the residents of the former Fort Ord, at the end of the one-year term, if the PBC has not yet passed, the Board will re-evaluate their representation.

PASSED AND ADOPTED on March 22, 2000, by the Board of Directors of the Marina Coast Water District by the following roll call vote of the Board:

Ayes: Directors Brown, Randle, Bibber, Moore  
Noes: Directors None  
Absent: Directors Bryson

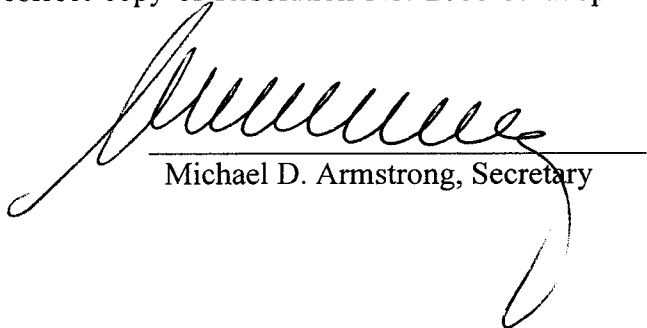
  
\_\_\_\_\_  
Gilbert Bibber, Vice-President

ATTEST:

  
\_\_\_\_\_  
Michael D. Armstrong, Secretary

#### CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2000-07 adopted March 22, 2000.

  
\_\_\_\_\_  
Michael D. Armstrong, Secretary

Resolution No. 2001-46  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending Resolution 98-1

August 22, 2001

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on August 22, 2001 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Board of Directors adopted Resolution 98-1 on January 14, 1998, and has subsequently amended resolution 98-1 on July 29, 1998, November 17, 1999, February 23, 2000, and March 22, 2000; and,

WHEREAS, Section J5 of Resolution 98-1 states:

"5. Referral to Committee. Matters may be referred to any committee through the Chair of the committee by the Board, by any director, or by any other person. Each Committee Chair shall discuss each referred matter with the committee. Except with a majority vote of the Board to remove the matter from the committee, the Board will not consider for action any matter referred to a committee until the Board has received a written recommendation on the matter from the committee."

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby amend Resolution 98-1, Section J5 as follows:

"5. Referral to Committee. Matters may be referred to any committee through the Chair of the committee by the Board, by any director, or by any other person. Each Committee Chair shall discuss each referred matter with the committee."

PASSED AND ADOPTED on August 22, 2001, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors Raddle, Brown, Bryson

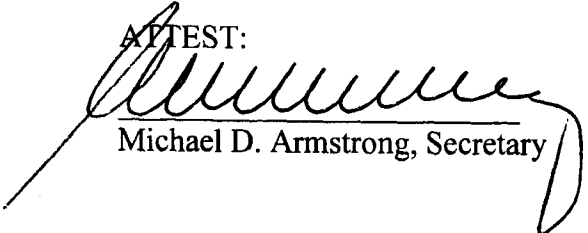
Noes: Directors Nishi

Absent: Directors Moore

Abstained: Directors None

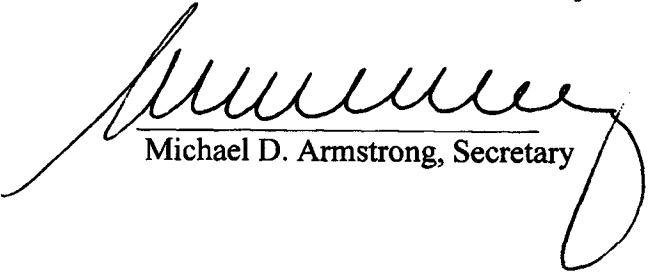
  
David W. Brown, President

ATTEST:

  
Michael D. Armstrong, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2001-46 adopted August 22, 2001.

  
Michael D. Armstrong, Secretary

Resolution No. 2003-09  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing Board Members to Co-Sign Checks  
and Amending Resolution 98-1 and the Board Procedures Manual

February 26, 2003

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on February 26, 2003 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Resolution 98-1 and the Board Procedures Manual requires a Board Member to co-sign checks over \$500.00; and,

WHEREAS, the current policy allows any one Board Member to co-sign checks over \$500.00; and,

WHEREAS, this resolution would modify the current policy and require two staff members to co-sign checks up to \$5,000.00, and a member of the Budget & Personnel Committee to co-sign checks above \$5,000.00, and in the absence or unavailability of the Budget & Personnel Committee members, any director would be authorized to co-sign checks; and,

WHEREAS, the check amount requiring the signature of a director is hereby increased to \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District adopt Resolution No. 2003-09, approving a new check signing policy (attached) and amending Resolution 98-1 and the Board Procedures Manual, accordingly.


PASSED AND ADOPTED on February 26, 2003, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors Scholl, Russo, Moore

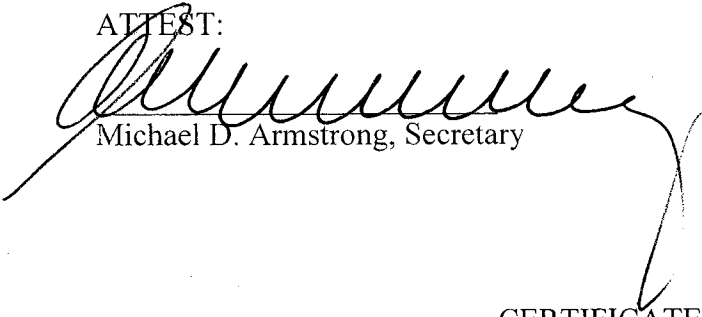
Noes: Directors Nishi

Absent: Directors Brown

Abstained: Directors None

  
\_\_\_\_\_  
Kenneth K. Nishi, President

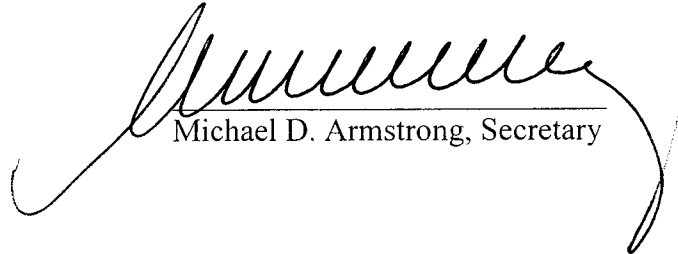
ATTEST:

A handwritten signature in black ink, consisting of a large initial 'M' followed by several loops and a long horizontal stroke.

Michael D. Armstrong, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2003-09 adopted February 26, 2003.

A handwritten signature in black ink, identical to the one above, consisting of a large initial 'M' followed by several loops and a long horizontal stroke.

Michael D. Armstrong, Secretary

## Marina Coast Water District

### Check Co-Sign Policy

Two staff members are required to co-sign checks up to \$5,000.00, and a member of the Budget & Personnel Committee to co-sign checks above \$5,000.00. In the absence or unavailability of the Budget & Personnel Committee members to sign checks in a timely manner, any director is authorized to co-sign checks.

Approved February 26, 2003



Resolution No. 2007-81  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing Board and Staff Members to Co-Sign Checks  
and Amending Resolution 98-1 and the Board Procedures Manual

November 14, 2007

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 14, 2007 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Resolution 98-1 and the Board Procedures Manual requires a Board Member to co-sign checks over \$500.00; and,

WHEREAS, Resolution No. 2003-09 revised the Resolutions No. 98-1 and the Board Procedures Manual and required Board Member to co-sign checks over \$5,000.00; and,

WHEREAS, this resolution would modify the current policy and require two staff members to co-sign checks up to \$25,000.00, and a member of the Board to co-sign checks above \$25,000.00; and,

WHEREAS, the check amount requiring the signature of a director is hereby increased to \$25,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District adopt Resolution No. 2007-8<sup>1</sup>, approving a new check signing policy (attached) and amending Resolution 98-1 and the Board Procedures Manual, accordingly.

PASSED AND ADOPTED on November 14, 2007, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors Moore, Burns, Lee, Nishi, Gustafson

Noes: Directors None

Absent: Directors None

Abstained: Directors none

  
Howard Gustafson, President

ATTEST:




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Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2007-81 adopted November 14, 2007.



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Jim Heitzman, Secretary

Marina Coast Water District

Check Signing Policy

It is the policy of the District to pay bills promptly to take advantage of all financial incentives. All checks up to \$25,000.00 shall be co-signed by the District General Manager and the Director of Finance. All checks over \$25,000.00 shall be cosigned by a Director of the District Board.

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-F

Meeting Date: November 8, 2011

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Reviewed By: Carl Niizawa

Agenda Title: Consider Appointing Alternate Members to the Budget and Personnel and Executive Committees

Detailed Description: The Board of Directors is requested to consider the Director appointments to alternate positions on the Budget and Personnel and Executive Committees.

On January 11, 2011, President Lee appointed Board members to the Standing Committees and Liaison positions of the Board but did not appoint anyone to the alternate positions of the Budget and Personnel and Executive Committees. Alternates were appointed to all other Standing and Liaison Committees.

President Lee would like to appoint Director Nishi as an alternate to the Budget and Personnel and Executive Committees.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On January 11, 2011, the Board of Directors approved the Committee appointments for 2011.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact:  Yes  No

Funding Source/Recap: None.

Material Included for Information/Consideration: None.

Staff Recommendation: This is a Board requested item.

Action Required:  Resolution  Motion  Review

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Staff Report

Agenda Item: 10-A

Meeting Date: November 8, 2011

Prepared By: Paula Riso

Subject: Receive a Verbal Update on the Formation of the Operations and Maintenance Committee for the Regional Desalination Project

Summary: At the Strategic Planning Workshop on September 30, 2011, Jim Heitzman shared with the Board the thought of forming an Operations and Maintenance Committee for the Regional Desalination Project and stated that he would discuss it further at the October 11, 2011 Board meeting. On October 11, 2011, he asked for, and received, Board direction to move forward and talk with local jurisdictions regarding the formation of the Committee.

Mr. Heitzman has scheduled a meeting on Monday, November 7, 2011 with all the local jurisdictions and will provide a verbal update of that meeting.

Marina Coast Water District  
Staff Report

Agenda Item: 10-B

Meeting Date: November 8, 2011

Prepared By: Carl Niizawa

Reviewed By: Jim Heitzman

Subject: Update on Monthly Water Meter Charge for Upsized Meters Due to Fire Protection Sprinkler Systems

Summary: This is an update to the Staff Report given to the Board in June of this year. Previous analysis on the current water rates found that while the current rate structure for 1" residential meters is justifiable; a special rate for residents who have 1" water meters because of building requirement for fire sprinklers, could be warranted. From further review, it appears that there is a significant trend with other water agencies towards accommodation of fire sprinklers with residential customers without the magnitude of additional monthly cost as seen in the District. Creation of a special rate category for residents with water meters sized for required fire sprinkler systems would bring the District's rate structure in line with this trend. Bartle Wells, the rate consultant to the District, now recommends consideration of this new rate class either in conjunction with a new rate study or by separate action in the future.

Recap the June Staff Report: There have been ratepayer complaints over the last few years from ratepayers who have residential 1" water service. Their complaints are derived from the difference between the monthly fixed rate of a 3/4" standard size residential water meter and that of a 1" residential water meter. The monthly fixed rate for a residential 5/8" or 3/4" meter in central Marina is currently \$18.85 while the fixed cost for a 1" meter is \$47.09. 1" meter residential ratepayers have either asked for the reason as to the large fixed rate difference, or if they could get a smaller meter. These ratepayers note that there is no difference between their consumption of water and that of their neighbors with smaller meters.

Of the residential ratepayers whom have 1" rates who have made inquiries regarding the rate structure, all have 1" meters because of installed fire protection sprinkler systems. In the City of Marina, the City of Marina Fire Department requires adequate water flow rates to operate fire protection sprinkler system required for all new single family residential units. The increased flow rate typically triggers an upsize to the needed water meter diameter, commonly from 3/4" to 1". It is unknown as to how many of the District's 1" residential ratepayers have 1" meters solely due to fire sprinklers requirements but it is suspected to be the majority of such sized meters are solely for this reason.

The current rate structure, based on potential flowrate demand, was recommended by the firm Bartle Wells in a rate study performed for the District. In 2008, Bartle Wells, in a memo to the District defended the practice of charging for potential fire flowrate. It cited the AWWA's Principals of Water Rates, Fees, and Charges which states that the most common method for charging for private fire service is to base the charge on the size of the customer's connection. Bartle Wells claimed that fix rates based on a "capacity to serve" are the norm.

The June Board meeting staff report indicated that while the District's 1" meter fixed rate is defensible, it can be questioned if the magnitude of the rate difference between ¾" and 1" meters is fair for the specific case of residential meter which are up-sized solely for the installation of fire sprinklers. Staff indicated that there is a current trend with other water agencies with regards to this issue and would further review and bring this back for the Board's consideration.

Staff has reviewed other water agency rates to investigate how residents with fire sprinkler system are impacted by their water rates. The findings are:

- The previous finding that the large majority of water agencies do not have special monthly fixed rates for 1" residential customers with fire sprinkler systems can be misleading. There are circumstances present in other jurisdictions which do not make the special rate case needed. Local agencies which do offer special rates, Cal Am and Alco, offer substantial discounts with a special rate for such customers.
- The practice of having fire sprinkler systems piped through the domestic 1" water meter is not a standard. In many jurisdictions, the fire system is routed separately. As such, the residential customer in these jurisdictions uses and is billed through the standard ¾" meter. Many water agencies in these jurisdictions charge a nominal monthly fee for the fire system connection. In the District's current rate structure, un-metered fire connections are not charged.
- The fixed rate structure (as well as the consumption rate schedule) is widely varied throughout the state. The largest, Department of Water and Power in Los Angeles, does not even have one. Most do not have the same large rate difference between the monthly fixed ¾" and 1" rates, as the District. Some have no rate difference. Few other agencies surveyed has such a large rate difference between the ¾" and 1" meter rates as the District maintains, without a special rate case for fire sprinklers.

Bartle Wells now recommends the creation of a special rate for residents with 1" water meter, which would otherwise have a ¾" water meter without the fire sprinkler service. Bartle Wells recommends that this special rate be approximately 20% above the ¾" rate. If the District were to follow this recommendation, there would be a small fiscal impact to the District revenues. There are only 181 single family residential 1" meters out of 4,360 total single family meters in the District. If all 181 meters were to have fixed rate reductions from approximately \$47.09 to \$22.62 a month, the current annual impact on the District would be a loss of about \$53,200 in revenues.



Marina Coast Water District  
Staff Report

Agenda Item: 10-C

Meeting Date: November 8, 2011

Prepared By: Brian True, Kelly Cadiente, and Paul Lord Presented By: Brian True

Reviewed By: Carl Niizawa

Subject: 3rd Quarter 2011 Ord Community Water Consumption and Sewer Flow Report

Summary: The Board of Directors is requested to receive the 3rd Quarter 2011 Ord Community Water Consumption and Sewer Flow Report. Quarterly water consumption reports have been submitted to the Board since 2006. The quarterly consumption report contains the Ord Community water consumption data organized by land-use jurisdiction.

This staff report also includes tracking information on Ord Community sewer flows and available sewer capacity. Ord Community sanitary sewer flow for the 3rd Quarter of 2011 was 80.84-million-gallons which yield an average daily sewer flow of 0.88-million-gallons-per-day (MGD). The Ord Community's sanitary sewer flow to the Monterey Regional Water Pollution Control Agency (MRWPCA) interceptor system is measured by a District flume structure located adjacent to the retired Main Garrison wastewater treatment plant.

The District maintains sewage conveyance capacity within the Ord Community equivalent to 3.3-MGD. The 3.3-MGD capacity managed by the District is further divided into 1.1-MGD for use by the US Army and 2.2-MGD for use by others in the Ord Community.

Below are informational annotations for the data included in the report:

- The rainfall total for the 3rd Quarter of 2011 (July, August, September), was 0.27 inches. This rainfall amount is very close to the historical quarterly average rainfall of 0.28 inches.
- The measured reference evapotranspiration rate for this period was 10.07 inches, lower than the historical quarterly average figure of 10.82 inches.
- The number of customers in each category is defined as the number of active accounts within that land use jurisdiction.
- "Army Facilities & Businesses - Ord" captures all uses not listed in the other Army categories.

The 4th Quarter 2011 Ord Community Water Consumption and Sewer Flow Report will be presented to the Board in February 2012.









MARINA COAST WATER DISTRICT  
 10 YEAR ANNUAL CONSUMPTION REPORT BY LAND USE JURISDICTION - DETAIL

Report Modified: 10/21/2011

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

**ORD COMMUNITY - ARMY**

**Army Facilities & Businesses - Ord**

Total Consumption (af)	50.39	63.63	62.18	37.32	36.49	46.42	39.16	44.94	45.29	27.31
No. of Connections	29	29	28	28	28	29	29	29	30	31
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	526.00	526.00	518.00	456.00	410.00	410.00	410.00	410.00	410.00	307.50

**Army Construction Water - Ord**

Total Consumption (af)	0.00	0.07	21.72	20.88	0.78	0.03	3.54	40.48	2.73	0.13
No. of Connections	0	1	1	4	2	1	1	3	1	1
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

**Fitch Park Army - Ord**

Total Consumption (af)	0.00	0.00	0.00	1.31	63.96	81.79	78.91	75.03	73.38	61.00
No. of Connections	0	0	0	72	211	213	213	213	213	213
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Hayes Park Army - Ord**

Total Consumption (af)	6.20	3.03	2.26	98.03	104.95	103.17	90.42	87.52	75.30	64.69
No. of Connections	25	25	48	164	164	164	164	164	164	164
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Kidney - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.50	72.92	66.28
No. of Connections	0	0	0	0	0	0	0	54	288	290
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

TOTALS FOR ORD COMMUNITY - ARMY										
Metered Consumption (af)	56.59	66.74	86.15	157.54	206.17	231.41	212.02	248.47	269.62	219.41
Army Retention (af)	1,577	1,577	1,577	1,577	1,577	1,577	1,577	1,577	1,577	1,577
Water Used (%)	30%	30%	31%	36%	39%	41%	39%	42%	43%	33%
Unmeterd Water Use (af)	526.00	526.00	518.00	456.00	410.00	410.00	410.00	410.00	410.00	307.50

\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - CITY OF MONTEREY</b>
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**City of Monterey - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
No. of Connections	0	0	0	0	1	0	0	0	0	0
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**TOTALS FOR ORD COMMUNITY - CITY OF MONTEREY**

<b>Metered Consumption (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>FORA Allocation (af)</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>	<b>65</b>
<b>Water Used (%)</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
<b>Unmetered Water Use (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>



\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - COUNTY/STATE PARKS</b>
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**County/State Parks - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
No. of Connections	0	0	0	0	1	0	0	0	0	0
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

<b>TOTALS FOR ORD COMMUNITY - COUNTY/STATE PARKS</b>										
<b>Metered Consumption (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>FORA Allocation (af)</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>	<b>45</b>
<b>Water Used (%)</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>
<b>Unmetered Water Use (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - CSUMB</b>
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**CSUMB**

Total Consumption (af)	89.07	91.23	108.13	139.72	106.07	113.27	118.71	157.88	131.29	138.76
No. of Connections	74	73	74	81	78	84	83	87	89	108
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	475.00	475.00	475.00	475.00	475.00	475.00	475.00	350.00	0.00	0.00

**CSUMB - Frederick Park**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.63	96.49	81.33
No. of Connections	0	0	0	0	0	0	0	131	135	133
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**CSUMB - Schoonover I**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	67.25	137.35	113.35
No. of Connections	0	0	0	0	0	0	0	245	246	246
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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**CSUMB - Schoonover II**

Total Consumption (af)	22.79	20.36	18.78	18.30	15.44	15.93	23.39	28.97	33.71	27.49
No. of Connections	66	66	66	66	66	66	152	152	155	156
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**TOTALS FOR ORD COMMUNITY - CSUMB**

Metered Consumption (af)	111.85	111.59	126.91	158.01	121.51	129.20	142.10	270.73	398.85	360.93
FORA Allocation (af)	1,035	1,035	1,035	1,035	1,035	1,035	1,035	1,035	1,035	1,035
Water Used (%)	57%	57%	58%	61%	58%	58%	60%	60%	39%	35%
Unmetered Water Use (af)	475.00	475.00	475.00	475.00	475.00	475.00	475.00	350.00	0.00	0.00

\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - DEL REY OAKS</b>
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**Del Rey Oaks - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
No. of Connections	0	0	0	0	1	0	0	0	0	0
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

<b>TOTALS FOR ORD COMMUNITY - DEL REY OAKS</b>										
Metered Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
FORA Allocation (af)	243	243	243	243	243	243	243	243	243	243
Water Used (%)	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Unmetered Water Use (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - MARINA</b>
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**Abrams Park - Ord**

Total Consumption (af)	98.93	111.07	89.26	76.31	71.97	70.11	80.39	83.78	72.57	55.53
No. of Connections	219	226	226	226	227	229	228	228	228	228
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**CHOMP - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.23
No. of Connections	0	0	0	0	0	0	0	0	0	3
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Cypress Knolls - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
No. of Connections	0	0	0	0	1	0	0	0	0	0
Land Use Agency Allocation	156	156	156	156	156	156	156	156	156	156
Water Used (%)					0%					
MCWD WSA Estimate	156	156	156	156	156	156	156	156	156	156
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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**Marina - Ord**

Total Consumption (af)	28.20	23.54	24.65	31.92	25.59	23.33	17.44	17.36	17.08	11.83
No. of Connections	35	34	35	44	44	41	38	39	38	35
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Marina Airport - Ord**

Total Consumption (af)	13.25	7.62	6.11	5.36	4.99	5.24	5.32	7.94	9.76	5.26
No. of Connections	15	17	16	21	21	22	18	20	23	22
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Marina Construction Water - Ord**

Total Consumption (af)	50.08	12.14	14.29	8.63	47.21	86.98	13.86	18.26	17.25	3.77
No. of Connections	5	7	10	11	12	22	16	10	16	8
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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**Marina Heights - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	6.94	85.07	47.92	8.34	8.70	7.66
No. of Connections	0	0	0	0	4	9	7	7	7	7
Land Use Agency Allocation	293	293	293	293	293	293	293	293	293	293
Water Used (%)					2%	29%	16%	3%	3%	3%
MCWD WSA Estimate	350	350	350	350	350	350	350	350	350	350
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Preston Park - Ord**

Total Consumption (af)	126.58	132.41	122.91	105.71	100.71	100.78	106.09	111.16	103.85	77.89
No. of Connections	392	389	388	380	379	380	379	378	378	382
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**School - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.60	0.50	0.46	0.51	3.03
No. of Connections	0	0	0	0	0	2	2	2	2	4
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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**University Villages - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.83	30.75	62.77	52.34	42.51	41.55	33.21
No. of Connections	0	0	0	1	3	26	14	13	13	13
Land Use Agency Allocation	593	593	593	593	593	593	593	593	593	593
Water Used (%)				0%	5%	11%	9%	7%	7%	6%
MCWD WSA Estimate	732	732	732	732	732	732	732	732	732	732
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**UV Specific Plan - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
No. of Connections	0	0	0	0	1	0	0	0	0	0
Land Use Agency Allocation	124	124	124	124	124	124	124	124	124	124
Water Used (%)					0%					
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**TOTALS FOR ORD COMMUNITY - MARINA**

<b>Metered Consumption (af)</b>	<b>317.04</b>	<b>286.79</b>	<b>257.22</b>	<b>228.75</b>	<b>288.16</b>	<b>434.88</b>	<b>323.86</b>	<b>289.81</b>	<b>271.26</b>	<b>207.42</b>
<b>FORA Allocation (af)</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>	<b>1,325</b>
<b>Water Used (%)</b>	<b>24%</b>	<b>22%</b>	<b>19%</b>	<b>17%</b>	<b>22%</b>	<b>33%</b>	<b>24%</b>	<b>22%</b>	<b>20%</b>	<b>16%</b>
<b>Unmetered Water Use (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>



LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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<b>ORD COMMUNITY - MONTEREY COUNTY</b>
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**County - Ord**

Total Consumption (af)	6.85	5.28	4.85	4.07	2.96	5.02	7.05	2.88	10.14	4.98
No. of Connections	5	5	6	6	6	6	4	5	6	6
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**County Construction Water - Ord**

Total Consumption (af)	0.66	0.16	0.00	2.56	0.43	0.00	0.02	0.73	0.17	3.30
No. of Connections	2	1	0	2	1	0	1	1	3	2
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**East Garrison - Ord**

Total Consumption (af)	0.00	0.00	0.00	1.41	2.50	191.94	29.51	0.70	0.06	0.48
No. of Connections	0	0	0	1	3	4	5	3	1	1
Land Use Agency Allocation	470	470	470	470	470	470	470	470	470	470
Water Used (%)				0%	1%	41%	6%	0%	0%	0%
MCWD WSA Estimate	470	470	470	470	470	470	470	470	470	470
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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TOTALS FOR ORD COMMUNITY - MONTEREY COUNTY										
Metered Consumption (af)	7.51	5.44	4.85	8.04	5.89	196.96	36.57	4.31	10.37	8.76
FORA Allocation (af)	710	710	710	710	710	710	710	710	710	710
Water Used (%)	1%	1%	1%	1%	1%	28%	5%	1%	1%	1%
Unmeterd Water Use (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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<b>ORD COMMUNITY - SEASIDE</b>
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**Bay View Mobile Park - Ord**

Total Consumption (af)	0.00	14.64	72.19	60.14	59.89	63.10	66.34	63.61	60.11	47.59
No. of Connections	0	223	223	223	223	223	223	223	223	223
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Seaside Golf Course - Ord**

Total Consumption (af)	0.52	0.31	0.60	1.28	10.56	21.01	1.39	1.05	349.21	382.76
No. of Connections	1	1	1	6	7	6	3	2	3	3
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**School - Ord**

Total Consumption (af)	121.23	110.12	113.86	114.78	82.11	90.17	126.82	94.82	100.39	58.93
No. of Connections	7	7	7	9	12	12	13	16	17	17
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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**Seaside - Ord**

Total Consumption (af)	3.08	3.13	3.96	3.12	2.61	6.67	5.26	6.03	5.10	3.34
No. of Connections	3	3	3	4	8	7	8	9	9	9
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Seaside Resort - Ord**

Total Consumption (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10
No. of Connections	0	0	0	0	0	0	0	0	0	2
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Seaside Construction Water - Ord**

Total Consumption (af)	4.01	36.90	21.46	1.65	10.48	7.04	19.55	26.79	52.84	0.90
No. of Connections	5	19	17	7	8	7	13	9	10	4
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

**Seaside Highlands - Ord**

Total Consumption (af)	0.00	9.68	166.50	194.54	170.89	185.72	192.72	166.66	156.69	127.35
No. of Connections	0	111	326	392	392	391	392	391	389	390
Land Use Agency Allocation	125	125	125	125	125	125	125	125	125	125
Water Used (%)		8%	133%	156%	137%	149%	154%	133%	125%	102%
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Seaside Highlands Soaper Field - Ord**

Total Consumption (af)	0.00	0.00	24.26	18.35	16.77	13.42	11.67	10.82	9.14	8.46
No. of Connections	0	0	1	1	1	1	1	1	1	1
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

**Sun Bay (300 units) - Ord**

Total Consumption (af)	81.53	64.77	65.40	62.74	61.60	64.09	59.81	59.83	60.25	54.87
No. of Connections	300	300	300	300	300	300	300	300	300	300
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

TOTALS FOR ORD COMMUNITY - SEASIDE										
Metered Consumption (af)	210.37	239.53	468.23	456.60	414.91	451.22	483.56	429.61	793.72	684.30
FORA Allocation (af)	1,012	1,012	1,012	1,012	1,012	1,012	1,012	1,012	1,012	1,012
Water Used (%)	21%	24%	46%	45%	41%	45%	48%	42%	78%	68%
Unmeterd Water Use (af)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

LAND USE JURISDICTION	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011* as of Sep 30
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\* represents year to date consumption figures which have been billed to customers

<b>ORD COMMUNITY - UCMBEST</b>
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**U C MBEST - Ord**

Total Consumption (af)	0.40	3.03	4.15	5.28	5.36	2.49	1.53	1.61	2.43	0.54
No. of Connections	2	3	3	3	3	3	3	3	3	3
Land Use Agency Allocation										
Water Used (%)										
MCWD WSA Estimate										
Unmetered Water Use	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

<b>TOTALS FOR ORD COMMUNITY - UCMBEST</b>
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<b>Metered Consumption (af)</b>	<b>0.40</b>	<b>3.03</b>	<b>4.15</b>	<b>5.28</b>	<b>5.36</b>	<b>2.49</b>	<b>1.53</b>	<b>1.61</b>	<b>2.43</b>	<b>0.54</b>
<b>FORA Allocation (af)</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>
<b>Water Used (%)</b>	<b>0%</b>	<b>1%</b>	<b>2%</b>	<b>2%</b>	<b>2%</b>	<b>1%</b>	<b>1%</b>	<b>1%</b>	<b>1%</b>	<b>0%</b>
<b>Unmetered Water Use (af)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>