

Agenda
Regular Board Meeting, Board of Directors
Marina Coast Water District
11 Reservation Road, Marina, California
Tuesday, December 13, 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. Election of Board President and Vice-President**

Action: The Board will elect two Directors to serve as President and Vice-President of the Board until December 2012.

4. Closed Session

- A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9)
Ag Land Trust v. Marina Coast Water District and Does 1-100, Monterey County Superior Court Case No. M105019 (First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief)

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at the District office at 11 Reservation Road, Marina, 72 hours prior to the meeting. Copies will also be available at the Board meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, December 8, 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 January 10, 2012.

- 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 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

5. 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.*

6. Pledge of Allegiance

7. 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.*

8. Presentations

- A. Consider Adoption of Resolution No. 2011-84 in Recognition and Appreciation of Richard Youngblood, Conservation Coordinator, Upon His Retirement from the Marina Coast Water District

- B. Consider Adoption of Resolution No. 2011-85 in Recognition of Dale North, System Operator III, for 20 Years of Service to the Marina Coast Water District

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

- A. Adopt Resolution No. 2011-86 to Approve the District Surplus Property Policy
- B. Adopt Resolution No. 2011-87 to Approve the Early Pay-Off of Rabobank Loan #870001432
- C. Adopt Resolution No. 2011-88 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Regional Water Pollution Control Agency for Conducting a Public Education Program for the Southern Monterey Bay Dischargers Group
- D. Approve the Proposed Regular Board Meeting Dates for 2012
- E. Approve the Expenditures for the Month of November 2011
- F. Approve the Draft Minutes of the Regular Board Meeting of October 11, 2011
- G. Approve the Draft Minutes of the Regular Board Meeting of November 8, 2011
- H. Approve the Draft Minutes of the Special Board Meeting of November 19, 2011

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

- A. Consider 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.

- B. Consider Adoption of Resolution No. 2011-89 to Approve a Professional Services Agreement to Provide Information Technology Support Services to the District

Action: Following review of the seven proposals that were received in response to the Request for Proposals that was sent out in November, the Board of Directors will select one company to provide Information Technology Support Services to the District.

- C. Consider Adoption of Resolution No. 2011-90 to Approve a Professional Services Agreement with The EDCCO Group, Inc. to Provide SCADA Integration and Support Services for the Eastern Distribution System Projects

Action: The Board of Directors will consider approving an agreement with EDCCO for SCADA integration and support services. The District currently uses EDCCO for other SCADA services.

- D. Consider Adoption of Resolution No. 2011-91 to Approve a Professional Services Agreement with Tramutola, LLC. for Public Outreach Services

Action: The Board of Directors will consider approving an agreement with Tramutola, LLC to assist the District with public outreach services.

- E. Consider Adoption of Resolution No. 2011-92 to Approve a Memorandum of Understanding between the Monterey Peninsula Water Management District, the Marina Coast Water District, the City of Seaside, and the Seaside Basin Watermaster Regarding Water Used for Irrigation of Golf Courses

Action: The Board of Directors will consider approving a Memorandum of Understanding for repayment of the District water provided for aquifer storage and recovery testing by the Monterey Peninsula Water Management District.

- F. Consider Adoption of Resolution No. 2011-93 to Approve a Professional Services Agreement for Wastewater Engineering Services with Wood Rogers, Inc. Consultants for the Reservation Road Siphon Remediation Project

Action: The Board of Directors will consider approving an agreement for wastewater engineering services for the Reservation Road Siphon Remediation Project.

- G. Consider Providing Direction on the Monthly Water Meter Rate Charge for Upsized Meters With Fire Protection Sprinkler Systems

Action: The Board of Directors will consider providing direction to staff regarding the monthly water meter rate charge for 1" meters with fire protection sprinkler systems.

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

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| 1. Water Conservation Commission | 7. FORA |
| 2. Joint City-District Committee | 8. LAFCO Liaison |
| 3. Budget & Personnel Committee | 9. JPIA Liaison |
| 4. Executive Committee | 10. Special Districts Association Liaison |
| 5. Community Outreach | 11. CalDesal |
| 6. MRWPCA Board Member | 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, January 10, 2012, 6:45 p.m.,
11 Reservation Road, Marina*