



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

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President

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Vice President

KENNETH K. NISHI
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Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California
Tuesday, September 11, 2012, 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)

1) 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, September 6, 2012 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 October 9, 2012.

2) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates, California Public Utilities Commission No. A.04-09-019

3) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019

- B. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case – MCWD Claims against Monterey County and MCWRA
- C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)
Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
One Case – Claims of MCWRA and Monterey County against MCWD
- D. Pursuant to Government Code 54957.6
Conference with Labor Negotiator
Agency Negotiator (General Manager)
Employee Organization: Marina Coast Water District Employees Association
- E. Pursuant to Government Code 54957.6
Conference with Labor Negotiator
Agency Negotiator (General Manager)
Employee Organization: Teamsters Local 890

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. 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. 2012-53 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program
- B. Approve the Expenditures for the Month of August 2012
- C. Approve the Draft Minutes of the Regular Board Meeting of July 10, 2012
- D. Approve the Draft Minutes of the Regular Board Meeting of August 14, 2012

8. 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 Nos. 2012-38 (Ord Community Compensation Plan), and 2012-39 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the Budget for FY 2012-2013

Action: The Board of Directors will consider adopting the Ord Community portion of the budget for FY 2012-2013.

- B. Consider Adoption of Resolution No. 2012-xx to Update the District's Expense Reimbursement and Travel Policy

Action: The Board of Directors will consider updating the District's Expense and Travel Policy.

- C. Consider Variance Request Regarding Relief from Water and Sewer Connection Costs for the New Veteran's Employment & Training Service Building at 2847 3rd Avenue

Action: The Board of Directors will consider a variance for the new Veteran's Employment & Training service building.

- D. Consider Adoption of Resolution No. 2012-xx to Approve a Professional Services Agreement with Denise Duffy and Associates for On-Call Environmental Services

Action: The Board of Directors will consider approving a Professional Services Agreement with Denise Duffy and Associates for on-call environmental services.

- E. Consider Authorizing the General Manager or Deputy General Manager/District Engineer to Sign an Affidavit to Allow the Covenant Presbyterian Church to Apply for a Zoning Hearing for a Church Facility at the Imjin Office Park

Action: The Board of Directors will consider authorizing the General Manager or Deputy General Manager/District Engineer to sign an affidavit to allow the Covenant Presbyterian Church to apply to the City of Marina for a zoning hearing for a church facility at the Imjin Office Park.

- F. Consider Adoption of Resolution No. 2012-xx to Approve a Professional Services Agreement with Denise Duffy and Associates for EIR/CEQA/CEQA Plus for Clark Colony Water and the Regional Urban Water Augmentation Project

Action: The Board of Directors will consider approving a Professional Services Agreement with Denise Duffy and Associates for EIR/CEQA/CEQA Plus for Clark Colony Water and the Regional Urban Water Augmentation Project.

- G. Consider Adoption of Resolution No. 2012-xx to Accept the Infrastructure Improvements Installed Under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and UCP East Garrison, LLC and Accept Ownership of the Property for the East Garrison Lift Station

Action: The Board of Directors will consider accepting the infrastructure improvements installed under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and UCP East Garrison, LLC and accept ownership of the property for the East Garrison Lift Station.

- H. Discuss the East Garrison Lift Station and Provide Direction to Staff

Action: The Board of Directors will discuss the East Garrison Lift Station and provide Direction to staff.

- I. Consider Placing the District's 11 Reservation Road Office Up For Lease

Action: The Board of Directors will consider placing the District's 11 Reservation Road office up for lease.

9. Staff Report

- A. Receive a Report on SB 90/State Mandated Cost Reimbursement and the Brown Act
- B. Receive a Report on the Agreement with Cypress Marina Heights, L.P., Marina Community Partners, L.L.C. and Cypress Knolls, L.L.C. for Financing Repair and Operation of Desalination Plant
- C. Receive a Report on Digital Tablets for Board Member Use
- D. Receive 1st and 2nd Quarter 2012 Ord Community Water Consumption and Sewer Flow Report

10. 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. Counsel's Report

C. Committee and Board Liaison Reports

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

11. Director's Comments

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

Regular Meeting:

*Tuesday, October 9, 2012, 6:45 p.m.,
11 Reservation Road, Marina*