



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

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President

HOWARD GUSTAFSON
Vice President

KENNETH K. NISHI
JAN SHRINER
WILLIAM Y. LEE

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California
Tuesday, October 9, 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)

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

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, October 4, 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 November 13, 2012.

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
Two Cases
 - 1) Claims of MCWRA and Monterey County against MCWD
 - 2) Claims of California–American Water Company against MCWD
- D. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator (General Manager, District Counsel)
Property: Water Rights
Negotiating Parties: Clark Colony Water Company and MCWD
Under Negotiations: Price and Terms
- E. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case
- F. Pursuant to Government Code 54957.6
Conference with Labor Negotiator
Agency Negotiator (General Manager)
Employee Organization: Marina Coast Water District Employees Association
- G. 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-xx to Approve a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and the Monterey Bay Military Housing, LLC for Phase 2 of the Stilwell Kidney Housing Project
- B. Approve the Expenditures for the Month of September 2012
- C. Approve the Draft Minutes of the Regular Board Meeting of September 11, 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 Authorizing the General Manager or the Deputy General Manager/District Engineer to Sign an Affidavit Allowing the “Covenant Presbyterian Church” to Apply for a Zoning Clearance from the City of Marina to Potentially Lease Space within the District’s Building in the Imjin Office Park

Action: The Board of Directors will consider authorizing the General Manager or the Deputy General Manager/District Engineer to sign an affidavit allowing the “Covenant Presbyterian Church” to apply for a Zoning Clearance from the City of Marina to potentially lease space within the District’s building in the Imjin Office Park.

- B. Consider Adoption of Resolution No. 2012-xx to Approve a Professional Services Agreement with The EDCCO Group for On-Call SCADA Integration Services

Action: The Board of Directors will consider approving a Professional Services Agreement with The EDCCO Group for On-Call SCADA Integration services.

- C. Consider Adoption of Resolution No. 2012-xx to Approve Obtaining 50-Year Easements from the Federal Government for Recycled Water Pipelines

Action: The Board of Directors will consider approving obtaining 50-year easements from the Federal Government for recycled water pipelines.

- D. Consider Adoption of Resolution No. 2012-60 to Revise the District's Expense Reimbursement and Travel Policy

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

9. 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

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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 | |

10. Director's Comments

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

Regular Meeting:

*Tuesday, November 13, 2012, 6:45 p.m.,
11 Reservation Road, Marina*