

REVISED



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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

DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HOWARD GUSTAFSON
WILLIAM Y. LEE
PETER LE

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

211 Hillcrest Avenue, Marina, California

Monday, June 17, 2013, 6:45 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:45 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, 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. Public Comment on Closed Session Items *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

4. 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, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case No. H038550

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, June 13, 2013 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 July 1, 2013.

2) 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

3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

4) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

- 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

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 four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

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 four minutes.*

- A. Adopt Resolution No. 2013-32 to Approve a Quitclaim Deed of Potable Water Pipe and Easements to California State University at Monterey Bay
- B. Adopt Resolution No. 2013-34 to Extend the Current FY 2012-2013 District Budget
- C. Adopt Resolution No. 2013-35 to Approve a Professional Services Agreement with Mr. Ron Allen to Provide Consultant Services for the Water Conservation Education Program
- D. Adopt Resolution No. 2013-36 to Authorize the Purchase of a Used Industrial Loader for Maintenance and Repair Work
- E. Adopt Resolution No. 2013-37 to Approve a Professional Services Agreement with Monterey Bay Technologies to Provide Information Technology Support Services to the District for FY 2013-2014
- F. Adopt Resolution No. 2013-38 to Approve an Agreement with Springbrook Software for the District's Utility Billing and Financial Software Migration to Version 7
- G. Adopt Resolution No. 2013-39 to Authorize Investment of District Monies and Update Signatures for the Local Agency Investment Fund
- H. Approve the Expenditures for the Month of May 2013
- I. Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013
- J. Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013
- K. Receive the Draft Notes of the Adjourned Regular Board Meeting of June 10, 2013

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 four minutes.*

- A. Consider Adoption of Resolution 2013-40 Approving an Updated Infrastructure Agreement Template

Action: The Board of Directors will consider approving an updated Infrastructure Agreement Template.

- B. Consider the Notice of Preparation for the Monterey Regional Water Pollution Control Agency Monterey Peninsula Groundwater Replenishment Project Environmental Impact Report and Provide Direction to Staff

Action: The Board of Directors will discuss the Notice of Preparation of an Environmental Impact Report for the Groundwater Replenishment Project and provide direction to staff.

- C. Provide Direction Regarding the Veterinary Hospital Nomination to the National Register of Historic Places

Action: The Board of Directors will provide direction regarding nominating the Veterinary Hospital to the National Register of Historic Places.

- D. Consider Appointing Brian C. Lee as Interim General Manager and Appointing a Labor Negotiator(s)

Action: The Board of Directors will consider appointing Brian C. Lee as Interim General Manager and appointing a labor negotiator(s) for negotiations with the Interim General Manager.

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 four minutes.*

A. General Manager's Report

- Correspondence Received by Board or General Manager
 - WWOC Report
 - 2004 WWOC Evaluation Form
 - 2005 WWOC Evaluation Form
 - 2006 WWOC Evaluation Form

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. WWOC Report |
| 3. Executive Committee | 9. JPIA Liaison |
| 4. Community Outreach | 10. Special Districts Association Liaison |
| 5. MRWPCA Board Member | 11. CalDesal |
| 6. LAFCO Liaison | |

11. Board Member Requests for Future Agenda Items

A. Board Member Requests

12. Director's Comments

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

Regular Meeting:

*Monday, July 1, 2013, 6:45 p.m.,
211 Hillcrest Avenue, Marina*