

Marina Coast Water District

Marina Council Chambers  
211 Hillcrest Avenue  
Marina, California

Special Board Meeting  
March 10, 2014  
6:00 p.m.

Draft Minutes

1. Call to Order:

President Moore called the meeting to order at 7:00 p.m. on March 10, 2014.

2. Roll Call:

Board Members Present:

Tom Moore – President  
Jan Shriner – Vice President  
Howard Gustafson  
Bill Lee  
Peter Le

Board Members Absent:

None

Staff Members Present:

Brian Lee, Interim General Manager  
Roger Masuda, Legal Counsel  
Kelly Cadiente, Director of Administrative Services  
Brian True, Capital Projects Manager  
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Kenneth Nishi, Marina Resident  
Mike McCullough, MRWPCA

3. Pledge of Allegiance:

President Moore asked Mr. Bill Lee, Interim General Manager, to lead everyone present in the pledge of allegiance.

4. Oral Communications:

Mr. Kenneth Nishi, Marina resident, commented that the leadership of President Moore and Vice President Shriner has led the District to the following: 1) not passed the Ord budget for the last two years; 2) Central Marina continues to subsidize the former Fort Ord and requested that the total amount that is subsidized be returned to Marina. Mr. Nishi added that he has not gotten a

Agenda Item 4 (continued):

response and asked if he needed to submit a public records request; 3) for six months he has inquired on Mr. Masuda's traveling expenses and is still waiting for a response so he will submit a public records request; 4) why do some people get their questions answered and others don't.

5. Action Items:

A. Consider Adoption of Resolution No. 2014-11 to Approve the District Technology Plan Appendix for FY 2014-2015:

Director Le made a motion to adopt Resolution No. 2014-11 to approve the District Technology Plan Appendix for FY 2014-2015 and for staff to explore the cost of video on demand and YouTube. Director Shriner seconded the motion. President Moore asked that next year a more robust description be included in the front of the Technology Plan. Mr. Nishi asked how much money is for the backflow program and who is responsible for it. He asked that his questions be answered. Mr. Lee responded to Mr. Nishi's questions. The motion was passed.

Director Lee	-	No	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

B. Receive a Report on the Schedule to Provide All Developer Account Balances Showing all Deposits and Expenditures:

Mr. Lee stated that staff was working on a report and will present it to the Board in June.

C. Receive a Report on the Status and Updated Project Schedule on the BLM Building Including any Issues Such as Cost Overrun, Delay in Schedule, Etc.:

Mr. Lee stated that the BLM building was on schedule and within budget and occupancy is expected in Spring 2015.

D. Receive a Report from the Meetings Between President Moore and Interim General Manager with the Seaside County Sanitation District:

President Moore gave an update on the meeting with Seaside County Sanitation District.

Mr. Nishi commented that everyone on the Board needs to show respect and accommodate people. He added that Seaside will get water equivalent to the wastewater they send over.

Direction was given for staff to bring a draft letter to the Seaside County Sanitation District regarding a second meeting to the next Board meeting.

E. Receive a Report from the Meetings Between the Interim General Manager and MRWPCA:

Mr. Lee commented that staff discussions stopped after the MRWPCA Ad Hoc Committee was created.

Mr. Nishi commented that the agreement between the District and MRWPCA states that the District will pay MRWPCA \$2.8 million when there is recycled water flow.

F. Provide Direction to the District's FORA Representative for the March 14 FORA Board of Directors Meeting on (1) the Current Status of the District's Water Augmentation Program and (2) the FORA Board's Action to Consider Certification of the 2010 Monterey County General Plan (as amended) as Being Consistent with the 1997 Fort Ord Reuse Plan; and to Authorize the District's FORA Representative to Provide Such Verbal and Written Information and Comments Consistent with that Direction:

Director Le made a motion to direct staff and President Moore to make a presentation on bullet 1. (the Current Status of the District's Water Augmentation Program); and, no direction on bullet 2. (the FORA Board's Action to Consider Certification of the 2010 Monterey County General Plan (as amended) as Being Consistent with the 1997 Fort Ord Reuse Plan; and to Authorize the District's FORA Representative to Provide Such Verbal and Written Information and Comments Consistent with that Direction); and, request a joint meeting between the MCWD and FORA Board. President Moore seconded the motion. Mr. Nishi commented that FORA is requesting that the District present the current status of the MCWD Water Augmentation Plan including a timetable for delivery, and not what the Director's are talking about. He added that he will be at the meeting to inform FORA that the District's current Board killed the Water Augmentation Project because they are afraid of growth. Mr. Lee commented that staff was unavailable on Friday to give the presentation.

Director Le revised his motion to direct President Moore to make a presentation on bullet 1. (the Current Status of the District's Water Augmentation Program); and, no direction on bullet 2. (the FORA Board's Action to Consider Certification of the 2010 Monterey County General Plan (as amended) as Being Consistent with the 1997 Fort Ord Reuse Plan; and to Authorize the District's FORA Representative to Provide Such Verbal and Written Information and Comments Consistent with that Direction) and request a joint meeting between the MCWD and FORA Board. President Moore seconded the revised motion. The motion failed.

Director Lee	-	No	Vice President Shriner	-	No
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

Agenda Item 5-F (continued):

Vice President Shriner made a motion to direct President Moore to make a presentation on bullet 1. (the Current Status of the District's Water Augmentation Program); and, on bullet 2. (the FORA Board's Action to Consider Certification of the 2010 Monterey County General Plan (as amended) as Being Consistent with the 1997 Fort Ord Reuse Plan: and to Authorize the District's FORA Representative to Provide Such Verbal and Written Information and Comments Consistent with that Direction), ask that the language in the Monterey County General Plan be changed to not include the former Fort Ord. The motion failed for lack of a second. Director Le requested the bullets be voted on separately.

Vice President Shriner made a motion to direct President Moore to make a presentation on bullet 1. (the Current Status of the District's Water Augmentation Program); and request a joint meeting between the MCWD and FORA Boards. Director Le seconded the motion. The motion was passed.

Director Lee	-	No	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

Vice President Shriner made a motion to provide direction to draft a letter cautioning the Monterey County for their General Plan for presumptions of unrelated water in the future and special consideration for the Ord Community. The motion failed for lack of a second.

6. Staff Report:

A. Receive 4<sup>th</sup> Quarter 2013 Ord Community Water Consumption and Sewer Flow Reports:

Mr. Lee noted that the reports are in the packet and brief the Board on the questions he received regarding the reports.

President Moore recessed the meeting from 9:00 – 9:03 p.m.

Director Gustafson left the meeting at 9:01 p.m.

Mr. Nishi voiced his concerns over the President questioning another Director's comments. He then asked where the sewer flows were being measured and added that there should be public relations letting the Farmers, Seaside, Monterey, and Del Rey Oaks know that the District has been allowing them to use the District's flows. Mr. Lee answered that he would have an answer at the next meeting regarding where the flows are measured.

7. Informational Items:

A. General Manager's Report:

Mr. Lee noted that a draft budget was on the dais in front of the Directors and asked that they review it before next week's budget workshop. He added that the Bay View Mobile Home Park appealed the District's decision to hold them to their current agreement to the FORA Board and it would be heard on Friday.

B. Counsel's Report:

Mr. Masuda reported that he was notified that the Monterey County Historic Preservation Officer would be contacting him soon.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Vice President Shriener gave a brief update and that the next meeting was April 3<sup>rd</sup>.

2. Joint City District Committee:

President Moore and Director Lee gave a brief update and noted that the March meeting would be canceled and the next meeting was scheduled for April 23, 2014.

3. Executive Committee:

No meeting was held.

4. Community Outreach Committee:

Vice President Shriener stated that there was nothing to report.

5. MRWPCA Board Member:

President Moore stated that the next meeting was on March 31, 2014.

6. LAFCO Liaison:

Vice President Shriener gave a brief update.

7. FORA:

President Moore stated that the meeting was on Friday.

8. WWOC:

Mr. Lee commented that the draft Ord budget was presented last week and the next meeting was April 2, 2014.

9. JPIA Liaison:

No report.

10. Special Districts Association Liaison

President Moore noted that the next meeting was April 15, 2014.

8. Board Member Requests for Future Agenda Items:

A. Board Member Requests:

Director Lee requested to revisit the Vice President election.

Vice President Shriner asked to see a draft response letter to the Seaside County Sanitation District and an MOU for the CSUMB Service Learning program on the next agenda.

Director Le asked for the Bay View Mobile Home Park to be on one of the next agendas and an updated schedule for the budget and Prop 218 mailing.

Director Lee requested legal counsel guidance on the previous Prop 218 rate increase that FORA denied implementing.

Vice President Shriner asked that in April or May she would like the Board to consider looking at the contract with legal counsel and the travel provision; and the allegation that Central Marina was subsidizing the Ord Community.

9. Director's Comments

Vice President Shriner asked to close the meeting in memory of Kenneth Raymond Armstrong. Director Lee commented that Eddy Stewart recently passed away as well. President Moore also made comments.

10. Adjournment:

The meeting was adjourned at 9:27 p.m.

APPROVED:

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Thomas P. Moore, President

ATTEST:

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Brian C. Lee, Deputy Secretary