



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS
KENNETH K. NISHI
President

WILLIAM LEE
Vice President

THOMAS P. MOORE
HOWARD GUSTAFSON
DAN BURNS

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California

Tuesday, April 13, 2010, 6:45 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors now 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 Section 54957
Public Employee Performance Evaluation
Title: General Manager
- B. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator (General Manager, Legal Counsel)
Property: Parcel of Land known as Sunset Place
Negotiating Parties: MCWD, Residents, City of Marina
Under Negotiation: Fee Title Ownership and Disposal
- C. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9
1 Case

7:00 p.m. Reconvene Open Session

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, April 8, 2010 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. The next regular meeting of the Board of Directors is scheduled for May 11, 2010.

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. Presentations

- A. Consider Adoption of Resolution No. 2010-15 in Recognition of Public Member, Mr. Sid Williams, for his Dedicated Service to the MCWD as a Member on the Water Conservation Commission

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 three minutes.*

- A. Approve Membership in CalDesal - an Advocacy Organization for Desalination
- B. Approve the 2009 Consumer Confidence Report for the Marina Coast Water District Water System
- C. Approve the Purchase of Student Almanacs for the Marina Middle School
- D. Approve the Expenditures for the Month of March 2010
- E. Approve the Draft Minutes of the Regular Board Meeting of March 16, 2010
- F. Approve the Draft Minutes of the Special Board Meeting of March 25, 2010

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 three minutes.*

- A. Consider Appointment to the Water Conservation Commission

Action: The Board of Directors is requested to appoint a member to the vacant position on the Water Conservation Commission.

- B. Consider Adoption of Resolution No. 2010-21 to Authorize a Professional Services Agreement with Denise Duffy and Associates for Environmental/Biological Services for the Eastern Distribution System Project

Action: The Board of Directors is requested to authorize a Professional Services Agreement with Denise Duffy and Associates for Environmental/Biological Services for the Easter Distribution System Project.

- C. Consider Adoption of Resolution No. 2010-22 to Authorize a Professional Services Agreement with Harris & Associates for Engineering Services Related to Inspection Practices, Inspection Training, and On-Call Inspections

Action: The Board of Directors is requested to authorize a Professional Services Agreement with Harris & Associates for Engineering Services related to inspection practices, inspection training and on-call inspections.

- D. Consider Adoption of Resolution No. 2010-23 to Approve the Marina Coast Water District Employee Handbook

Action: The Board of Directors is requested to approve the Marina Coast Water District Employee Handbook.

- E. Receive and Accept the 2010 Marina Coast Water District Salary Survey

Action: The Board of Directors is requested to receive and accept the 2010 Marina Coast Water District Salary Survey.

F. **Reconsider the Vote on Adoption of Resolution No. 2010-20**

The President of the Board will entertain a motion to reconsider the vote on Resolution No. 2010-20.

- Resolution No. 2010-20 contains Findings, with a Statement of Overriding Considerations and adoption of mitigation measures identified and proposed in the Final EIR as certified by the CPUC on December 17, 2009, in Decision D.09-12-017, and tailored to MCWD's role as a responsible agency, as set forth in the Findings and the Mitigation Monitoring and Reporting Plan attached to the Findings, and based thereon.
- Resolution No. 2010-20 conditionally approves MCWD's participation in the Regional Desalination Project pursuant to
 - a Water Purchase Agreement between Marina Coast Water District, California American Water Company, and Monterey County Water Resources Agency,
 - a related Settlement Agreement between MCWD, MCWRA, CAW and various other interested parties to settle California Public Utilities Commission Proceeding A.04-09-019, "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."
- Resolution No. 2010-20 authorizes the President and the General Manager and Secretary to execute the Water Purchase Agreement and the Settlement Agreement pursuant to the resolution and conditional approval.

- Resolution No. 2010-20 directs the General Manager and staff to take all other actions that may be necessary to effectuate and implement the resolution and conditional project approval.

In considering a Motion to Reconsider, the Board will review and consider the Final EIR and the Addendum released by the CPUC's consultant on March 24, 2010, and will entertain and consider comments from the public together with such other information as may be presented at the meeting.

10. Staff Reports

Receive Staff Reports on:

- A. The Greater Monterey County Integrated Regional Water Management Plan
- B. Safe, Clean and Reliable Drinking Water Supply Act of 2010

11. Discussion

- A. Discuss Master Meter Water Usage Tier Charges

12. 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
 - 1. Water Conservation Commission
 - 2. Joint City-District Committee
 - 3. MRWPCA Board Member
 - 4. LAFCO Liaison
 - 5. JPIA Liaison
 - 6. FORA
 - 7. Executive Committee
 - 8. Community Outreach
 - 9. Special Districts Association Liaison
- E. Director's Comments

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

*Regular Meeting: Tuesday, May 11, 2010, 6:45 p.m.,
11 Reservation Road, Marina*