

Marina Coast Water District

Marina Council Chambers
211 Hillcrest Avenue
Marina, California

Regular Board Meeting
July 20, 2015
6:30 p.m.

Draft Minutes

1. Call to Order:

President Gustafson called the meeting to order at 6:30 p.m. on July 20, 2015.

2. Roll Call:

Board Members Present:

Howard Gustafson – President
Bill Lee
Tom Moore
Jan Shriner

Board Members Absent:

Peter Le

Staff Members Present:

Bill Kocher, Interim General Manager
Roger Masuda, Legal Counsel
Michael Wegley, District Engineer
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Bob Schaffer, Shea Homes

3. Public Comment on Closed Session Items:

No comments.

The Board entered into closed session at 6:32 p.m. to discuss the following items:

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 Nos. H038550 and H039559
- 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 & A.13-05-017 Settlement Agreement
- 3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief)
- 4) Marina Coast Water District v. California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CGC-13-528312 (Petition for Writ of Mandate)
- 5) Marina Coast Water District v. California State Lands Commission (California-American Water Company, Real Party in Interest), case number pending (Petition for Writ of Mandate)

The Board ended closed session at 6:55 p.m.

President Gustafson reconvened the meeting to open session at 7:00 p.m.

5. Reportable Actions Taken during Closed Session:

President Gustafson stated that the Board gave direction and that no other reportable action was taken during closed session.

6. Pledge of Allegiance:

President Gustafson led everyone present in the pledge of allegiance.

7. Oral Communications:

Mr Bob Schaffer, Shea Homes, commented that he had brochures featuring the workforce housing being built at the Dunes development and that they were offering District, City, and other public employees earning up to \$111,300 annually, a first chance at purchasing them.

8. Consent Calendar:

Director Moore made a motion to approve the Consent Calendar consisting of the following items:

- A. Receive and File the Check Register for the Month of June 2015
- B. Approve the Draft Minutes of the Regular Board Meeting of July 6, 2015

Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Le	-	Absent
Director Moore	-	Yes	President Gustafson	-	Yes
Director Lee	-	Yes			

9. Action Items:

- A. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-39 to Amend the Procurement Policy:

Mr. Bill Kocher, Interim General Manager, introduced this item.

Director Moore made a motion to adopt Resolution No. 2015-39 to amend the Procurement Policy. Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Le	-	Yes
Director Moore	-	Yes	President Gustafson	-	Absent
Director Lee	-	Yes			

- B. Receive Information and Possible Direction to Consider the Election of a Candidate to Seat A of the California Special Districts Association 2015 Board:

Mr. Kocher introduced this item.

Director Moore made a motion to elect Director Le to Seat A of the California Special Districts Association 2015 Board. Director Lee seconded the motion. The motion was passed.

Director Shriner	-	Yes	Vice President Le	-	Absent
Director Moore	-	Yes	President Gustafson	-	Yes
Director Lee	-	Yes			

- C. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-40 to Nominate and Support a Candidate for the Position of President or Vice President of the Association of California Water Agencies:

Following discussion, the Board decided not to take action on this item.

10. Informational Items:

A. General Manager's Report:

Mr. Kocher commented that he and President Gustafson would be meeting with the MRWPCA negotiating team on Thursday. He also noted that he had met with Mr. Houlemard, CEO of FORA, earlier that afternoon and completed Step 1 of the Dispute Resolution Process regarding the action taken on the FORA budget.

B. Counsel's Report:

No report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No report.

2. Joint City District Committee:

President Gustafson stated that the meeting was canceled.

3. Executive Committee:

No meeting was held.

4. Community Outreach Committee:

No meeting was held.

5. Budget and Personnel Committee:

No meeting was held.

6. MRWPCA Board Member:

No report.

7. LAFCO Liaison:

No report.

8. FORA:

No report.

9. WWOC:

No report.

10. JPIA Liaison:

Director Shriner stated that there was no report.

11. Special Districts Association Liaison:

President Gustafson stated the meeting is tomorrow, July 21, 2015.

11. Director's Comments:

Director Shriner, Director Moore and President Gustafson made comments.

12. Adjournment:

The meeting was adjourned at 7:15 p.m.

APPROVED:

Howard Gustafson, President

ATTEST:

Paula Riso, Deputy Secretary