

Draft Marina Coast Water District

Marina Council Chambers  
211 Hillcrest Avenue  
Marina, California

Regular Board Meeting  
October 19, 2015  
6:30 p.m.

Draft Minutes

1. Call to Order:

Director Moore called the meeting to order at 6:30 p.m. on October 19, 2015.

2. Roll Call:

Board Members Present:

Tom Moore  
Bill Lee  
Jan Shriner

Board Members Absent:

Howard Gustafson – President  
Peter Le – Vice President

Staff Members Present:

Keith Van Der Maaten, General Manager  
Roger Masuda, Legal Counsel  
Jean Premutati, Management Services Administrator  
Kelly Cadiente, Director of Administrative Services  
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Andy Sterbenz, Schaaf & Wheeler

3. Public Comment on Closed Session Items:

None.

The Board entered into closed session at 6:31 p.m. to discuss the following items:

4. Closed Session:

A. Pursuant to Government Code 54956.9  
Conference with Legal Counsel – Existing Litigation

- 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 vs. California-American Water Company, Monterey County Water Resources Agency, and Does 1 through 50, San Francisco Superior Court Case No. CGC-15-547125 (Complaint for Breach of Warranties, etc.)
- 5) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180839 (Petition for Writ of Mandate). Sixth District Court of Appeal Case No. H042742
- 6) Marina Coast Water District v, California State Lands Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180895 (Petition for Writ of Mandate)

B. Pursuant to Government Code 54957 (a)  
Threat to Public Services or Facilities

The Board ended closed session at 7:05 p.m.

Director Moore reconvened the meeting to open session at 7:05 p.m.

Director Lee made a motion to have Director Moore run the meeting in the absence of both the President and Vice President. Director Shriner seconded the motion. The motion was passed.

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

5. Reportable Actions Taken during Closed Session:

Director Moore stated that items 4-A5, 4-A6, and 4B were discussed in closed session and no reportable action was taken.

6. Pledge of Allegiance:

Director Moore asked Director Lee to lead everyone present in the pledge of allegiance.

7. Oral Communications:

None.

8. Consent Calendar:

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

- A. Receive and File the Check Register for the Month of September 2015
- B. Approve the Draft Minutes of the Regular Board Meeting of October 5, 2015

Director Shriner seconded the motion. The motion was passed.

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

9. Action Item:

- A. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-49 to Approve a Request for Proposal for Public Relations and Community Outreach Services:

Ms. Jean Premutati, Management Services Administrator, introduced this item.

Following discussion, Director Moore made a motion to approve the Request for Proposals with technical changes to the Professional Services Agreement; additions to the introduction acknowledging diverse audiences; and, additions to the scope of services regarding translation and community partners. Director Lee seconded the motion. The motion was passed.

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

B. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-50 to Award a Contract to Conduct a Cyber Security Audit of the District:

Ms. Kelly Cadiente, Director of Administrative Services, introduced this item. Director Shriner asked for clarification on the legend.

Director Lee made a motion to follow staff's recommendation and adopt Resolution No. 2015-50 to award a contract to Info@Risk, Inc to conduct a cyber security audit of the District. Director Shriner seconded the motion. The motion was passed.

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

10. Correspondence Received by the District, Directors and General Manager:

None.

11. Informational Items:

A. General Manager's Report:

Mr. Keith Van Der Maaten, General Manager, reported that Vice President Le attended a CalDesal Conference in Ontario, Ca on October 1<sup>st</sup> and 2<sup>nd</sup> and Vice President Le provided a written update. Mr. Van Der Maaten stated that if anyone was interested in a copy of the report, please contact Ms. Riso.

B. Counsel's Report:

No report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

No report.

2. Joint City District Committee:

The next meeting is October 28th.

3. Executive Committee:

The next meeting is November 12th.

4. Community Outreach Committee:

The next meeting is November 12th.

5. Budget and Personnel Committee:

The next meeting is November 12th.

6. MRWPCA Board Member:

No report.

7. LAFCO Liaison:

No report.

8. FORA:

Mr. Van Der Maaten gave a brief update.

9. WWOC:

No report.

10. JPIA Liaison:

Director Shriner gave a brief update.

11. Special Districts Association Liaison:

The next meeting is scheduled for October 20<sup>th</sup>.

12. Board Member Requests for Future Agenda Items:

None.

13. Director's Comments and Reports on Meetings:

Director Shriner, Director Lee and Director Moore made comments.

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14. Adjournment:

The meeting was adjourned at 7:24 p.m.

APPROVED:

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Thomas P. Moore, Director

ATTEST:

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Paula Riso, Deputy Secretary