

Marina Coast Water District

District Offices
11 Reservation Road
Marina, California

Special Board Meeting
March 30, 2010
6:30 p.m.

Minutes

1. Call to Order:

President Nishi called the meeting to order at 6:30 p.m. on March 30, 2010.

2. Roll Call:

Board Members Present:

Ken Nishi– President
Bill Lee – Vice President
Howard Gustafson
Tom Moore

Board Members Absent:

Dan Burns

Staff Members Present:

Jim Heitzman, General Manager
Lloyd Lowrey, Legal Counsel
Carl Niizawa, Deputy General Manager/District Engineer
Paula Riso, Executive Assistant

Audience Members:

Jan Shriner, Marina Resident
Tim O'Halloran, City of Seaside
Ray Corpuz, City of Seaside
Alison Imamura, Denise Duffy & Associates

The Board entered into closed session at 6:30 p.m.

5. Closed Session:

- A. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator (General Manager, Legal Counsel)
Property: D/E Reservoir Site and Surrounding Land
Negotiating Parties: MCWD and the City of Seaside
Under Negotiation: Consideration and Terms

The Board ended closed session at 6:53 p.m.

The Board reconvened to open session at 6:56 p.m.

3. Pledge of Allegiance:

President Nishi asked Vice President Lee to lead everyone present in the Pledge of Allegiance.

4. Oral Communications:

Mr. Jim Heitzman, General Manager, introduced Mr. Ray Corpuz, City Manager, and Mr. Tim O'Halloran, City Engineer from the City of Seaside.

6. Possible Action on Closed Session Item:

- A. Consider Adoption of Resolution No. 2010-14 to Approve an Agreement with the City of Seaside for Land Transfer:

Mr. Lloyd Lowrey, Legal Counsel, stated that the District's Deputy General Manager/District Engineer, the General Manager, and he have worked with the City of Seaside on this Land Transfer Agreement. There will be an exchange of assets received from FORA by the City of Seaside and the District. It is within the terms of the Base Reuse and Closure (BRAC), US Army and FORA processes. Mr. Lowrey pointed out that the action to be taken is on the basis of documentation that has already been adopted, including the addendum to it.

Ms. Alison Imamura, Denise Duffy & Associates, commented that the Initial Study Negative Declaration Addendum addresses the contents of the Land Transfer and Water Service Agreement and the Seaside Golf Course Irrigation Source Change Report.

Mr. Lowrey suggested a correction to the Resolution in the third RESOLVED from the bottom to read: "that the Board of Directors of the Marina Coast Water District hereby authorize the President and General Manager and Secretary to take the actions..." and, "...and the General Manager to implement the said Agreement."

Agenda Item 6-A (continued):

Ms. Jan Shriner, Marina resident, commented that the documents were not available prior to the meeting. Mr. Lowrey answered that it was because he brought the documents with him to the meeting. Ms. Shriner asked why this couldn't wait until the next regularly scheduled meeting. Mr. Tim O'Halloran, City of Seaside, answered that the City of Seaside is party to adjudication of the Seaside Basin and under a judicial order. This agreement will help meet the judgment and fulfill the order.

Vice President Lee made a motion to Adopt Resolution No. 2010-14 approving an Agreement with the City of Seaside for Land Transfer and allowing Legal Counsel and the General Manager to make non-substantive modifications to the Agreement. Director Moore seconded the motion. The motion was passed.

Director Moore	-	Yes	Vice President Lee	-	Yes
Director Gustafson	-	Yes	President Nishi	-	Yes
Director Burns	-	Absent			

7. Director's Comments:

Director Moore commented that he attended the press conference earlier that morning regarding the Regional Plan. Mr. Heitzman did a good job and it was well run.

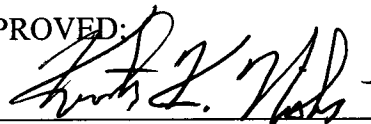
Vice President Lee complimented everyone on a job well done and how well the City of Seaside and the District worked together.

President Nishi echoed Vice President Lee's compliment and stated that this is the first step in the City of Seaside and the District working together for a long time to come.

8. Adjournment:

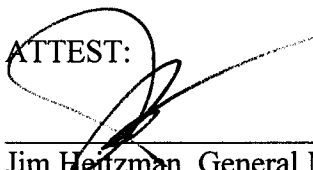
The meeting was adjourned at 7:10 p.m.

APPROVED:



Kenneth K. Nishi, President

ATTEST:



Jim Heitzman, General Manager