

## Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Special Board Meeting  
June 10, 2010  
5:30 p.m.

### Minutes

#### 1. Call to Order:

President Nishi called the meeting to order at 5:41 p.m. on June 10, 2010.

#### 2. Roll Call:

##### Board Members Present:

Ken Nishi– President  
Bill Lee – Vice President  
Howard Gustafson

##### Board Members Absent:

Tom Moore  
Dan Burns

##### Staff Members Present:

Lloyd Lowrey, Legal Counsel  
Carl Niizawa, Deputy General Manager/District Engineer  
Brian True, Capital Projects Manager  
Paula Riso, Executive Assistant

##### Audience Members:

Steve and Dorothy Emerson, Marina Residents  
Lenore Masterson, Marina Resident  
Cheryl Swix, Marina Resident  
Nancy Amadeo, Marina Resident  
Jackie Murguia, Marina Resident  
Andre Heath, Marina Resident  
Frank Calamer, Marina Resident  
Long Nguyen, Marina Resident  
Malik Turner, Marina Resident  
Hector Murguia, Marina Resident  
Justin Harris, Marina Resident  
Shelton Harris, Marina Resident  
Marvin Jones, Marina Resident

Bruce DelGado, Mayor of Marina  
Cathy Meach, Marina Resident  
Garth and Darlena Ridler, Marina Resident  
George Thacher, Marina Resident  
Gary Wilmot, Marina Resident  
Ed Meach, Marina Resident  
Garnett Quarles, Marina Resident  
Ana Moran, Marina Resident  
Cynthia Smith, Marina Resident  
Bob Drake, Marina Resident  
Jim Ford, Marina Councilmember  
Craig Oliver, City of Marina  
Cristie Di Iorio, City of Marina

3. Pledge of Allegiance:

President Nishi asked Mr. Steve Emerson, Marina resident, to lead everyone present in the Pledge of Allegiance.

4. Oral Communications:

There were no comments.

5. Action Item:

- A. Consider Adoption of Resolution No. 2010-28 to Direct MCWD Staff to Disconnect the Potable Water Service to the Marina Teen Center Located at 304 Hillcrest Avenue, Marina, CA:

Mr. Brian True, Capital Projects Manager, introduced this item stating that the reason for this meeting was to resolve the City of Marina's (City) refusal to comply with the District's standards and an authorized set of plans. MCWD has standards to protect the public's infrastructure and water supply. The reliability of water delivery and the safety of the water being provided is why the District has standards, and that the District has an obligation to treat all customers equally. Mr. True stated that the District had notified the City several times of their non-compliance (email #1 in the handout). The City refused to comply. In January 2010, the District re-notified the City of their non-compliance, and received no answer. Mr. True noted that once this meeting was scheduled, a letter was received from the City on June 9, 2010, promising to fully comply with all applicable District standards. Mr. True stated that in light of the City's willingness to resolve the issues, staff recommends the Board of Directors go with Option B) Direct District staff to continue working with the City staff to achieve reasonable compliance.

Mr. Craig Oliver, City of Marina, commented that the City staff wants to work with District staff to resolve this matter as fast as possible.

President Nishi commented that it looks as though the Board can concur with staff's recommendation and asked Mr. True to repeat the recommendation. Mr. True read aloud staff's recommendation of Option B - Direct District staff to continue working with the City staff to achieve reasonable compliance.

Ms. Darlena Ridler, Marina resident, commented that the threat of turning off the water has been destructive to the children and they lose hope. She urged the Board not to do this again and staffs to meet and work together.

Garnett Quarles, Marina resident, commented that he is thankful the water is not being turned off and the Teen Center helps keep young people out of the streets. We need to support our youth.

Agenda Item 5-A (continued):

An unidentified citizen commented that there are many projects coming up in the future and problems like this should be taken care of before the building breaks ground. It should not have come this far before becoming an issue and the inspectors are also at fault for not making sure everything was correct in the beginning.

Mr. Jim Ford, Marina Councilmember, commented that he was pleased with the resolve of Option B, and with summer upon us, the children will have somewhere to spend their days.

Ms. Lenore Masterson, Marina resident, voiced her appreciation of the City of Marina and Board of Directors coming together to resolve this issue.

Mr. Gary Wilmot, Marina resident, commented that he was pleased that the issue was resolved. He added that the City Manager and General Manager should have resolved the issue before it got on an agenda. Mr. Wilmot commented that there are plenty of doubters in the District's ability to run the Regional Plan, and now is not the time to put themselves in this kind of situation with the public. Both the City and the District serve the same voters, taxpayers and ratepayers, so doing something like this only hurts the same people.

An unidentified citizen commented that these kids today will be in the Directors seats in the future and we need to protect our future.

Mr. Carl Niizawa, Deputy General Manager/District Engineer, responded to public comment by agreeing that there should be agreement between the staffs. Mr. Niizawa affirmed that there was agreement between the staffs and a professionally signed plan set was submitted by the City and approved by the District. The basis for the District's disagreement was non-compliance by the City with that approved plan set.

6. Director's Comments:

Vice President Lee commented that the meeting was not about turning off someone's water, it was proving that the democratic process works. All the people in the room are ratepayers, or children of ratepayers, of the District. When things come up on the agenda and the public speaks at meetings, or send letters to the Board, or leaves messages for Board members, it shows the system works and that the Board does listen to people and what the people want. Vice President Lee stated that the bottom line is the integrity of the water system has to be maintained. He added that everyone agrees that the ball was dropped somewhere and now at this meeting after seeing the letters and hearing the comments, the will of the people is going to happen.

Agenda Item 6 (continued):

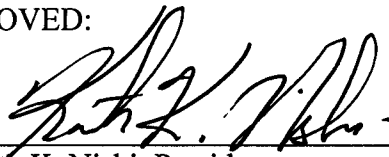
Director Gustafson commented that no project can go forward without a set of plans. Projects have to go through the proper approval and this project was handled through the City. The District wanted to be able to inspect the project to insure it was done correctly in accordance with State Law and the District's standards. Director Gustafson assured everyone he would never do anything to hurt the City as he has lived here for over fifty years and was in the first graduating class at Los Arboles Middle School. Director Gustafson stated that this meeting was to get the City to respond to the Board that they are going to pay and rectify what was done wrong as was shown in the letters provided. The City Manager didn't respond to the District and Director Gustafson encouraged the City Council to respond to get involved and respond to the District.

President Nishi commented that he is seeing a bunch of long faces in the audience and encouraged everyone to go home with smiles because we are all here for the young children. The children thought they were going to have fun at the Teen Center and here they are in a civics class.

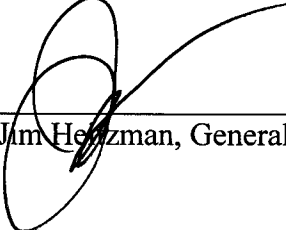
10. Adjournment:

The meeting was adjourned at 6:00 p.m.

APPROVED:

  
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Kenneth K. Nishi, President

ATTEST:

  
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Jim Henzman, General Manager