



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

TEL: (831) 384-6131 FAX: (831) 883-5995

DIRECTORS

DAN BURNS
President

HOWARD GUSTAFSON
Vice President

KENNETH K. NISHI
JAN SHRINER
WILLIAM Y. LEE

Agenda
Special Board Meeting
Board of Directors
Marina Coast Water District
11 Reservation Road, Marina, California
Friday, November 30, 2012, 9:30 a.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors 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. **Pledge of Allegiance**
4. **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.*
5. **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 Adoption of Resolution No. 2012-82 to Approve the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District

Action: The Board of Directors will consider approving the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District.

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, at least 24 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 Wednesday, November 28, 2012 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Board Clerk at: 831-883-5910. The next regular meeting of the Board of Directors is scheduled for December 11, 2012.

- B. Consider Adoption of Resolution No. 2012-83 to Approve the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District

Action: The Board of Directors will consider approving the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District.

- C. Consider Adoption of Resolution No. 2012-84 to Approve the Terms and Conditions of the Employment Agreement Between the Unrepresented Employees and the Marina Coast Water District

Action: The Board of Directors will consider approving the term and conditions of the employment agreement between the unrepresented employees and the Marina Coast Water District.

- D. Consider Adoption of Resolution No. 2012-85 to Approve the FY 2012/2013 Marina Coast Water District Employees Association Salary Schedules

Action: The Board of Directors will consider approving the FY 2012/2013 Marina Coast Water District Employees Association Salary Schedules.

- E. Consider Adoption of Resolution No. 2012-86 to Approve the FY 2012/2013 Teamsters Local 890 Salary Schedules

Action: The Board of Directors will consider approving the FY 2012/2013 Teamsters Local 890 Salary Schedules.

- F. Consider Adoption of Resolution No. 2012-87 to Approve the FY 2012/2013 Unrepresented Employees Salary Schedules

Action: The Board of Directors will consider approving the FY 2012/2013 Unrepresented Employees Salary Schedules.

- G. Consider Adoption of Resolution No. 2012-88 to Require a Super-Majority Vote, 4-1, for Any Annexation or it Goes to Vote of the 1961 Original MCWD Customers

Action: The Board of Directors will consider requiring a super-majority vote, 4-1, for any annexation or it goes to vote of the 1961 original MCWD customers.

6. Director's Comments

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

*Regular Meeting: Tuesday, December 11, 2012, 6:45 p.m.,
11 Reservation Road, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-A

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-82 to Approve the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District

Detailed Description: The Board appointed General Manager Jim Heitzman as the negotiator to represent the District.

Over the past several months, the District negotiator and the Marina Coast Water District Employees Association (MCWDEA) met several times and worked toward agreement on a Memorandum of Understanding (MOU). Negotiations have produced a tentative agreement on the MOU and the Board is now asked to consider final approval with a retroactive date of July 1, 2012, unless otherwise noted in the MOU.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On December 14, 2010, the Board adopted Resolution No. 2010-84 approving the MCWDEA MOU for the supervisory and general service staff.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact: ☒ Yes ☐ No

Funding Source/Recap: Expenditures are allocated across all cost centers for salaries and benefits

Material Included for Information/Consideration: Resolution No. 2012-82; and, the draft MOU between the MCWDEA and the Marina Coast Water District.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-82 to approve the Memorandum of Understanding between the MCWDEA and the Marina Coast Water District.

Action Required: ☒ Resolution ☐ Motion ☐ Review
(Roll call vote is required.)

Board Action

____ Resolution No ____ Motion By ____ Seconded By ____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 30, 2012

Resolution No. 2012-82
Resolution of the Board of Directors
Marina Coast Water District
Approving Memorandum of Understanding
Between the Marina Coast Water District Employees Association
and the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Board appointed General Manager, Jim Heitzman, to represent the District in negotiations with the supervisory and general service staff; and,

WHEREAS, the District General Manager met and negotiated with representatives of the Marina Coast Water District Employees Association; and,

WHEREAS, a tentative agreement has been reached on the MOU between the Marina Coast Water District Employees Association and the Marina Coast Water District; and,

WHEREAS, the effective date of the MOU will be retroactive to July 1, 2012, unless otherwise noted in the MOU.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District (attached as Exhibit “A”), and authorizes and directs the General Manager to execute the Agreement in substantially the same form presented at this meeting on behalf of the Marina Coast Water District, and to take all other actions necessary to fully perform the District’s obligations under the Agreement.

PASSED AND ADOPTED on November 30, 2012, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-82 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-B

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-83 to Approve the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District

Detailed Description: The Board appointed General Manager Jim Heitzman as the negotiator to represent the District.

The District negotiator and the Teamsters Local 890 have met in order to work toward agreement of a Memorandum of Understanding (MOU). Negotiations have produced a tentative agreement on the MOU and the Board is now asked to consider final approval with a retroactive date of July 1, 2012, unless otherwise noted in the MOU.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On January 11, 2011, the Board approved Resolution No. 2011-07 Approving a Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District.

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact: ☒ Yes ☐ No

Funding Source/Recap: Expenditures are allocated across all cost centers for salaries and benefits.

Material Included for Information/Consideration: Resolution No. 2012-83; and, the draft MOU between the Teamsters Local 890 and the Marina Coast Water District.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-83 to approve the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District.

Action Required: ☒ Resolution ☐ Motion ☐ Review
(Roll call vote is required.)

Board Action

____Resolution No____ Motion By____ Seconded By____

Ayes____ Abstained____

Noes____ Absent____

Reagendized____ Date____ No Action Taken____

November 30, 2012

Resolution No. 2012-83
Resolution of the Board of Directors
Marina Coast Water District
Approving Memorandum of Understanding
Between the Teamsters Local 890 and the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Board appointed General Manager, Jim Heitzman, to represent the District in negotiations with the Teamsters Local 890 which represents the management and confidential staff; and,

WHEREAS, the District General Manager met and negotiated with representatives of the Teamsters Local 890; and,

WHEREAS, a tentative agreement has been reached on the MOU between the Teamsters Local 890 and the Marina Coast Water District; and,

WHEREAS, the effective date of the MOU and all changes will be retroactive to July 1, 2012 unless otherwise noted in the MOU.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District (attached as Exhibit “A”), and authorizes and directs the General Manager to execute the Agreement in substantially the same form presented at this meeting on behalf of the Marina Coast Water District, and to take all other actions necessary to fully perform the District’s obligations under the Agreement.

PASSED AND ADOPTED on November 30, 2012, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-83 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-C

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-84 to Approve the Terms and Conditions of the Employment Agreement Between the Unrepresented Employees and the Marina Coast Water District

Detailed Description: The Deputy General Manager/District Engineer, Legal Counsel and Management Services Administrator are management positions which are not currently part of the represented management group (Teamsters Local 890).

Originally it was expected the Deputy General Manager/District Engineer would, upon hire, become a member of the Teamsters Local 890. However, representatives of the Teamsters Local 890 felt it was not suitable for this position to be included based on the duties and responsibilities. The Management Services Administrator was a member of the Teamsters Local 890 until December 14, 2010 when a Unit Modification Order was approved.

On February 8, 2011, the Board approved Resolution No. 2011-16 approving the unrepresented employee's terms and conditions of employment as more appropriate to the salary and benefits as that of the Teamsters Local 890 Memorandum of Understanding (MOU) and a letter outlining the terms and conditions was placed in the files of the unrepresented employees.

As a new Teamsters MOU has been drafted, and, once approved, the Board is requested to continue to apply the same terms and conditions of the 2012-2015 MOU to the unrepresented employees.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On February 8, 2011, the Board approved Resolution No. 2011-16 approving the changes, terms and conditions of unrepresented employees

Board Goals/Objectives: *Strategic Plan, Mission Statement – 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.*

Financial Impact: X Yes No

Funding Source/Recap: Expenditures are allocated across all cost centers for salaries and benefits.

Material Included for Information/Consideration: Resolution No. 2012-84.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-84 to continue to approve the terms and conditions of the unrepresented employees.

Action Required: X Resolution _____ Motion _____ Review
(Roll call vote is required.)

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 30, 2012

Resolution No. 2012-84
Resolution of the Board of Directors
Marina Coast Water District
Approving the Change in Terms and Conditions of the Employment Agreement
Between the Unrepresented Employees and the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Deputy General Manager/District Engineer, Legal Counsel and Management Services Administrator are management positions, but not currently part of the represented management group (Teamsters Local 890); and,

WHEREAS, the Deputy General Manager/District Engineer was expected to be included in the Teamsters, but Unit representatives felt because of the position duties and responsibilities, it was not suitable; and,

WHEREAS, the Management Services Administrator, until December 2010 was a member of the Teamsters when a Unit Modification Order was approved; and,

WHEREAS, the recently approved terms and conditions of the Teamsters Memorandum of Understanding (MOU), July 1, 2012 through June 30, 2015, are appropriate to the current salary and benefits of the unrepresented employees and should be applied in the employment agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve a Change in Terms and Conditions of the Employment Agreement between the Unrepresented Employees and the Marina Coast Water District, and authorizes and directs the General Manager to execute an Agreement in substantially the same form presented at this meeting on behalf of the Marina Coast Water District, and to take all other actions necessary to fully perform the District’s obligations under the Agreement.

PASSED AND ADOPTED on November 30, 2012, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors_____

Noes: Directors_____

Absent: Directors_____

Abstained: Directors_____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-84 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-D

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-85 to Approve the FY 2012/2013 Marina Coast Water District Employees Association (MCWDEA) Salary Schedules

Description: The District appointed negotiator has met and negotiated with the MCWDEA. A tentative agreement has been reached and a new three-year Memorandum of Understanding (MOU) drafted. As a result, staff has prepared the attached salary schedules for FY 2012/2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On December 14, 2010, the Board adopted Resolution No. 2010-85 approving the FY 2010/2011 MCWDEA Salary Schedules for the supervisory and general service staff.

Board Goals/Objectives: *Strategic Plan 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.*

Financial Impact: ☒ Yes ☐ No

Funding Source/Recap: Distributed across all cost centers for salaries and benefits.

Material Included for Information/Consideration: Resolution No. 2012-85; and, Proposed 2012/2013 salary schedules.

Staff Recommendation: The Board consider adopting Resolution No. 2012-85 approving the FY 2012/2013 MCWDEA salary schedules.

Action Required: ☒ Resolution ☐ Motion ☐ Review
(Roll call vote is required.)

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 30, 2012

Resolution No. 2012-85
Resolution of the Board of Directors
Marina Coast Water District
Approve Revised Marina Coast Water District Employees Association
FY 2012/2013 Salary Schedules

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District's negotiator and the Marina Coast Water District Employees Association (MCWDEA) have tentatively agreed to a new three-year Memorandum of Understanding; and,

WHEREAS, negotiations have resulted in newly proposed salary schedules for FY 2012/2013.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the revised FY 2012/2013 MCWDEA Schedules (Exhibit A) and authorize the General Manager to take all actions necessary to execute this resolution.

PASSED AND ADOPTED on November 30, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-85 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-E

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-86 to Approve the FY 2012/2013 Teamsters Local 890 Salary Schedules

Description: The District appointed negotiator has met and negotiated with the Teamsters Local 890. A tentative agreement has been reached and a new three-year Memorandum of Understanding (MOU) drafted. As a result, staff has prepared the attached salary schedules for FY2012/2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On January 11, 2011, the Board approved Resolution No. 2011-08 Approving the FY 2010/2011 Teamsters Local 890 Salary Schedules for management and confidential staff.

Board Goals/Objectives: *Strategic Plan 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.*

Financial Impact: ☒ Yes ☐ No

Funding Source/Recap: Distributed across all cost centers for Salary and Benefits.

Material Included for Information/Consideration: Resolution No. 2012-86; and, Proposed FY 2012/2013 Teamsters Local 890 salary schedules.

Staff Recommendation: The Board adopts Resolution No. 2012-86 approving the proposed Teamsters Local 890 salary schedules.

Action Required: ☒ Resolution ☐ Motion ☐ Review
(Roll call vote is required.)

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 30, 2012

Resolution No. 2012-86
Resolution of the Board of Directors
Marina Coast Water District
Approve Revised Teamsters Local 890
FY 2012/2013 Salary Schedules

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District’s negotiator and the Teamster Local 890 have tentatively agreed to a new three-year Memorandum of Understanding; and,

WHEREAS, negotiations have resulted in newly proposed salary schedules for FY 2012/2013.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the revised Teamsters Local 890 FY 2012/2013 Salary Schedules (Exhibit A) and authorize the General Manager to take all actions necessary to execute this resolution.

PASSED AND ADOPTED on November 30, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-86 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-F

Meeting Date: November 30, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-87 to Approve the Unrepresented Employees FY 2012/2013 Salary Schedules

Description: The District appointed negotiator has met with the Unrepresented Employees and attached is the proposed salary schedule for FY 2012/2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On February 8, 2011, the Board approved Resolution No. 2011-17 approving the unrepresented employees FY2010/2011 salary schedule.

Board Goals/Objectives: *Strategic Plan 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.*

Financial Impact: ☒ Yes ☐ No

Funding Source/Recap: Distributed across all cost centers for salaries and benefits.

Material Included for Information/Consideration: Resolution No. 2012-87; and, Proposed FY 2012/2013 salary schedules.

Staff Recommendation: The Board consider adopting Resolution No. 2012-87 approving the unrepresented employees FY 2012/2013 salary schedules.

Action Required: ☒ Resolution ☐ Motion ☐ Review
(Roll call vote is required.)

Board Action

_____Resolution No_____ Motion By_____ Seconded By_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Reagendized_____ Date_____ No Action Taken_____

November 30, 2012

Resolution No. 2012-87
Resolution of the Board of Directors
Marina Coast Water District
Approve Revised Unrepresented Employees FY 2012/2013 Salary Schedules

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District’s negotiator and the Unrepresented Employees have agreed to changes in the terms of employment, and;

WHEREAS, negotiations have resulted in a newly proposed salary schedule.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the revised Unrepresented Employees FY 2012/2013 Salary Schedules (Exhibit A) and authorize the General Manager to take all actions necessary to execute this resolution.

PASSED AND ADOPTED on November 30, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors_____

Noes: Directors_____

Absent: Directors_____

Abstained: Directors_____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-87 adopted November 30, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-G

Meeting Date: November 30, 2012

Prepared By: Roger Masuda

Presented By: Roger Masuda

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-88 Establishing a District Annexation Policy and Rule

Detailed Description: Vice President Gustafson is requesting the Board of Directors to adopt Resolution No. 2012-88, which would establish an annexation policy and rule requiring either of the following two actions in order for the District to petition for or consent to an annexation of territory to the District: (a) the affirmative vote of at least four directors; or (b) a majority of the voters voting in favor of the proposed annexation. Only those registered voters then-residing within the jurisdictional boundaries of the City of Marina, as those jurisdictional boundaries existed as of 1975, shall be eligible to vote on the proposed annexation. The resolution would further require the affirmative vote of at least four directors to amend or repeal the resolution.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan 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.*

Financial Impact: _____Yes X No

Funding Source/Recap: None.

Material Included for Information/Consideration: Resolution No. 2012-88.

Staff Recommendation: The Board consider adopting Resolution No. 2012-88 establishing a District Annexation Policy and Rule.

Action Required: X Resolution _____Motion _____Review
(Roll call vote is required.)

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 30, 2012

Resolution No. 2012 - 88
Resolution of the Board of Directors
Marina Coast Water District
Adopting District Annexation Policy and Rule

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on November 30, 2012, at the business office of the District, 11 Reservation Road, Marina, California, as follows:

WHEREAS, the Board of Directors of the Marina Coast Water District is authorized to adopt District policies and rules; and,

WHEREAS, it is in the best interests of the District adopt the policy and rule set forth below regarding the annexation of additional territories to the District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2012-88 and the following annexation policy and rule:

1. Any action by the Board of Directors authorizing the submission of an application for any change of organization or reorganization involving the annexation of additional territory to the District pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, brought on behalf of or in the name of the District shall require either:

(a) the affirmative vote of at least four directors; or

(b) a majority of the voters voting in favor of the proposed annexation. Only those registered voters then-residing within the jurisdictional boundaries of the City of Marina, as those jurisdictional boundaries existed as of 1975, shall be eligible to vote on the proposed annexation.

2. The approval requirements of Section 1 above shall also apply in order for the District to provide its consent to a proposal for any change of organization or reorganization involving the annexation of additional territory to the District where the proposal was not initiated by the District.

3. Any amendment or repeal of this resolution shall require the affirmative vote of at least four directors.

PASSED AND ADOPTED on November 30, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-88 adopted November 30, 2012.

Jim Heitzman, Secretary