

Marina Coast Water District

Marina Council Chambers
11 Reservation Road
Marina, California

Adjourned Regular Board Meeting
June 13, 2013
6:45 p.m.

Draft Minutes

1. Call to Order:

President Moore called the meeting to order at 6:45 p.m. on June 13, 2013.

2. Roll Call:

Board Members Present:

Tom Moore – President
Jan Shriner – Vice President
Peter Le

Board Members Absent:

Howard Gustafson - excused
Bill Lee - excused

Staff Members Present:

Brian Lee, Deputy General Manager/District Engineer
Roger Masuda, Legal Counsel
Paula Riso, Executive Assistant/Board Clerk

Audience Member:

None.

3. Pledge of Allegiance:

President Moore led everyone present in the pledge of allegiance.

4. Public Comment on Closed Session Items:

No comments.

The Board entered into closed session at 6:47 p.m.

5. 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 No. H038550

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

3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

4) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

B. Pursuant to Government Code Section 54956.9 (c)

Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case – MCWD Claims against Monterey County and MCWRA

C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)

Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
Two Cases

- 1) Claims of MCWRA and Monterey County against MCWD
- 2) Claims of California–American Water Company against MCWD

D. Pursuant to Government Code 54956.8

Conference with Real Property Negotiator (General Manager, District Counsel)
Property: Water Rights
Negotiating Parties: Clark Colony Water Company and MCWD
Under Negotiations: Price and Terms

E. Pursuant to Government Code Section 54957.6

Conference with Labor Negotiators (Directors Thomas Moore and Jan Shriner)
Unrepresented Employee: General Manager

The Board ended closed session at 8:40 p.m. President Moore reconvened the meeting to open session at 8:41 p.m.

6. Possible Action on Closed Session Items:

President Moore stated that no reportable actions were taken in closed session.

7. Oral Communications:

No comments.

8. Action Item:

A. Receive Comments and Give Direction to Staff Regarding the Notice of Preparation of an EIR for the Groundwater Replenishment Project:

Mr. Brian Lee, Deputy General Manager/District Engineer, introduced this item.

Director Le stated that he emailed his comments to Mr. Lee and President Moore.

Director Shriner stated that she had emailed her comments to Mr. Lee as well.

Mr. Lee noted that a draft list of questions would be provided at the next Board meeting.

9. Director's Comments:

Director Le commented that he would like the Board to review, and possibly revise, the Board Procedures Manual in either July or August.

Vice President Shriner commented that the Water Conservation Commissioner, Mr. Tom Jennings, was recently appointed to the MPUSD Board and resigned his post as Water Conservation Commissioner. She asked that a certificate of appreciation be presented to Mr. Jennings from the Board.

President Moore thanked staff for all their work and patience with the Board.

10. Adjournment:

President Moore adjourned the meeting at 9:02 p.m.

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APPROVED:

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary