



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

THOMAS P. MOORE
President

WILLIAM Y. LEE
Vice President

HOWARD GUSTAFSON
JAN SHRINER
PETER LE

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

211 Hillcrest Avenue, Marina, California

Monday, July 21, 2014, 6:00 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:00 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, Marina, California.

Our Mission: *We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

1. Call to Order

2. Roll Call

3. Public Comment on Closed Session Items *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

4. 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 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

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at City of Marina Council Chambers (211 Hillcrest Avenue, Marina) and the District office (11 Reservation Road, Marina) no less than 72 hours prior to the meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, July 17, 2014. Copies will also be available at the Board meeting. Information about items on this agenda or persons requesting disability related modifications and/or accommodations should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5910.

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)

- B. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Subdivision (b) of 54956.9
Two Potential Cases
- C. Pursuant to Government Code 54957
Public Employee Performance Evaluation
Title: General Manager
- D. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Recycled Water Pipeline, Recycled Water
Negotiating parties: Tom Moore and Peter Le
Under Negotiation: Price and Terms
- E. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Armstrong Ranch
Negotiating parties: Tom Moore and Peter Le
Under Negotiation: Price and Terms
- F. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Sewer Infrastructure
Negotiating parties: Tom Moore and Peter Le
Under Negotiation: Price and Terms

7:00 p.m. Reconvene Open Session

5. Possible Action on Closed Session Items *The Board will report out on any action taken during Closed Session, and may take additional action in Open Session, as appropriate. Any closed session items not completed will be discussed at the end of the meeting.*

6. Pledge of Allegiance

7. 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 four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

8. Consent Calendar *Board approval can be taken with a single motion and vote. A Board member or member of the public may request that any item be pulled from the Consent Calendar for separate consideration at this meeting or a subsequent meeting. The public may address the Board on any Consent Calendar item. Please limit your comment to four minutes.*

- A. Receive and File the Check Register for the Month of June 2014
- B. Approve the Draft Minutes of the Regular Board Meeting of July 7, 2014
- C. Approve the Draft Minutes of the Special Board Meeting of July 9, 2014
- D. Adopt Resolution No. 2014-31 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

9. 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 four minutes.*

- A. Receive a Verbal Update on the General Manager Recruitment Process and Provide Guidance

Action: The Board of Directors will receive an update on the General Manager recruitment process and provide guidance.

- B. Consider Providing Direction to the Water Conservation Commission Regarding an Opinion/Editorial Article Concerning Water Conservation and Other Activities Promoting Conservation and Addressing the Drought

Action: The Board of Directors will providing direction to the Water Conservation Commission regarding an Opinion/Editorial Article concerning water conservation and other activities promoting conservation and addressing the drought

- C. Discuss Possible Participation in the Community Labor Day Parade

Action: The Board of Directors will discuss whether to participate in the Community Labor Day Parade.

10. Informational Items *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to four minutes.*

- A. General Manager's Report
 - 1. Correspondence Received by Board or General Manager
- B. Counsel's Report
- C. Committee and Board Liaison Reports

- | | |
|----------------------------------|-----------------------------------|
| 1. Water Conservation Commission | 6. LAFCO Liaison |
| 2. Joint City-District Committee | 7. FORA |
| 3. Executive Committee | 8. WWOC Report |
| 4. Community Outreach | 9. JPIA Liaison |
| 5. MRWPCA Board Member Liaison | 10. Special Districts Association |

11. Board Member Requests for Future Agenda Items

12. Director's Comments

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

Special Meeting: *Wednesday, July 23, 2014, 6:30 p.m.,
District Offices
11 Reservation Road, Marina*

Regular Meeting: *Monday, August 4, 2014, 6:00 p.m.,
Marina Council Chambers
211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: July 21, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of June 2014
- B) Approve the Draft Minutes of the Regular Board Meeting of July 7, 2014
- C) Approve the Draft Minutes of the Special Board Meeting of July 9, 2014
- D) Adopt Resolution No. 2014-31 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: See individual transmittals.

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

Staff Recommendation: The Board of Directors approve the Consent Calendar as presented.

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: July 21, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Agenda Title: Receive and File the Check Register for the Month of June 2014

Detailed Description: The Board of Directors is requested to receive and file the attached May 2014 check register for expenditures totaling \$726,199.47.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Objective No. 3 – Our objective is to manage public funds to assure financial stability, prudent rate management and demonstrate responsible stewardship. Our fiscal strategy is to forecast, control and optimize income and expenditures in an open and transparent manner. We will efficiently use our financial resources to assure availability to fund current and future demands.*

Financial Impact: ___ Yes ___ X No

Funding Source/Recap: Expenditures are allocated across the six cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04- Ord Sewer, 05-Recycled Water, 06-Regional Water.

Material Included for Information/Consideration: June 2014 Summary Check Register.

Staff Recommendation: The Board of Directors receive and file the June 2014 expenditures totaling \$726,199.47.

Action Required: ___ Resolution ___ X Motion ___ Review

(Roll call vote is required.)

Board Action

___ Resolution No ___ Motion By ___ Seconded By ___

Ayes ___ Abstained ___

Noes ___ Absent ___

Reagendized ___ Date ___ No Action Taken ___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: July 21, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of July 7, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of July 7, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: ___ Yes ___ **X** ___ No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of July 7, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the July 7, 2014 regular Board meeting.

Action Required: ___ Resolution ___ **X** ___ Motion ___ Review

Board Action

___ Resolution No ___ Motion By ___ Seconded By ___

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: July 21, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of July 9, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of July 9, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: ___ Yes ___ **X** ___ No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of July 9, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the July 9, 2014 special Board meeting.

Action Required: ___ Resolution ___ **X** ___ Motion ___ Review

Board Action

___ Resolution No ___ Motion By ___ Seconded By ___

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: July 21, 2014

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2014-31 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

Detailed Description: The Board of Directors shall consider adopting resolution No. 2014-31 approving a Memorandum of Understanding (MOU) between the Marina Coast Water District (MCWD) and the Monterey Peninsula Unified School District (MPUSD) regarding the In-School Water Conservation Education Program.

The MPUSD and MCWD have worked together for more than twelve years to bring water conservation education to students in the district's service area. This agreement continues the long-standing relationship between the two partners and provides the means to integrate water conservation instruction into the curriculum at five elementary schools for the 2014-2015 School Year.

MCWD shall reimburse MPUSD for the classroom instruction at a rate of \$30.08 per hour plus statutory benefits, not to exceed \$25,800. The instructor will develop and schedule instruction for over 65 classes to more than 1,500 students, teachers and staff. The water conservation instruction provided is designed to meet the state academic curriculum standards and it is age appropriate for children in grades kindergarten through third grade.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The MCWD Water Conservation Commission has recommended approval of this MOU.

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: This item is funded through the FY 2014/2015 Conservation Budget of the Central Marina and Ord Community cost centers.

Material Included for Information/Consideration: Resolution No. 2014-31; and, Draft MOU between MCWD and Monterey Peninsula Unified School District.

Staff Recommendation: The Board of Directors consider the adoption of Resolution No. 2014-31 approving an MOU between the Marina Coast Water District and the Monterey Peninsula Unified School 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

July 21, 2014

Resolution No. 2014 - 31
Resolution of the Board of Directors
Marina Coast Water District
Approving a Memorandum of Understanding
between Marina Coast Water District and the Monterey Peninsula Unified School District
Regarding In-School Water Conservation Education Program with Wage and Benefit Reimbursements

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on July 21, 2014, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, MCWD has developed a Memorandum of Understanding (MOU) with the Monterey Peninsula Unified School District regarding the In-School Water Conservation Education Program that will facilitate the teaching of water conservation education; and,

WHEREAS, the MOU is an agreement to formalize planning and execution of the In-School Water Conservation Education Program; and,

WHEREAS, water conservation is within the District’s Mission and the funding for this MOU is included in the District’s budget for FY 2014/2015 under Conservation Education with a not to exceed amount of \$25,800.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the proposed Memorandum of Understanding regarding the In-School Water Conservation Education Program.

BE IT FURTHER RESOLVED, that the Board of Directors does hereby authorize the General Manager or the Deputy General Manager/District Engineer to sign the MOU.

PASSED AND ADOPTED on July 21, 2014 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 _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy 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. 2014-31 adopted July 21, 2014.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: July 21, 2014

Submitted By: Brian C. Lee

Presented By: Thomas Moore

Agenda Title: Receive a Verbal Update on the General Manager Recruitment Process and Provide Guidance

Detailed Description: The Board is requested to receive a verbal update from President Moore and provide guidance.

Environmental Review Compliance: None required.

Prior Committee or Board Action: President Moore gave a verbal update at the July 7, 2014 meeting.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: ___ Yes ___ **X** No

Funding Source/Recap: None

Materials Included for Information/Consideration: None.

Staff Recommendation: Provide Board guidance.

Action Required: ___ Resolution ___ Motion ___ Review

Board Action

___ Resolution No ___ Motion By ___ Seconded By ___

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: July 21, 2014

Submitted By: Brian True
Reviewed By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Providing Direction to the Water Conservation Commission Regarding an Opinion/Editorial Article Concerning Water Conservation and the Drought

Detailed Description: The Board is requested to provide direction to the Water Conservation Commission (WCC) regarding an opinion/editorial article prepared by the WCC concerning the topic of water conservation and the current drought conditions. The draft article prepared by the WCC is attached.

During the June 5, 2014 WCC Meeting, the Commissioners and staff worked to develop a consensus draft of the article and motioned to advance the draft to the MCWD Board of Directors. The Commission requests that the Board authorize the WCC to submit the article to the daily/weekly/monthly (as the case may be) local newspapers for publication as either a letter, an editorial, or an opinion piece.

The Commission also requests direction regarding the signatory on the article. The Commission's consensus appeared to be that they would like the current WCC Chairperson to sign the article on behalf of the entire Commission.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *March 2014 Strategic Plan, Strategic Element 4.0 Strategic Partners and Public Affairs - Our objective is to build our relationship with the public and local agencies.*

Financial Impact: _____ Yes No

Funding Source/Recap: None

Material Included for Information/Consideration: Draft article prepared by the WCC.

Recommendation: District staff recommends that the Board authorize the WCC to submit the article for publication within the local newspapers.

Action Required: _____ Resolution X Motion _____ Review

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: July 21, 2014

Submitted By: Brian C. Lee

Presented By: Jan Shriner

Agenda Title: Discuss Possible Participation in the Community Labor Day Parade

Detailed Description: Director Jan Shriner requested that the Board discuss possible participation in the Community Labor Day Parade.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: ___ Yes ___ X No

Funding Source/Recap: None

Materials Included for Information/Consideration: None.

Staff Recommendation: Provide Board guidance.

Action Required: ___ Resolution ___ Motion ___ Review

Board Action

___ Resolution No ___ Motion By ___ Seconded By ___

Ayes ___ Abstained ___

Noes ___ Absent ___

Reagendized ___ Date ___ No Action Taken ___