



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

HOWARD GUSTAFSON
President

THOMAS P. MOORE
Vice President

WILLIAM Y. LEE
JAN SHRINER

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

Marina Council Chambers
211 Hillcrest Avenue, Marina, California
Monday, March 21, 2016, 6:30 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 6:30 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

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. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the City of Marina Council Chambers. The agenda shall also be posted at the following locations but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): District offices at 11 Reservation Road, Seaside City Hall, the City of Marina Library, and the City of Seaside Library. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, March 17, 2016. 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) Marina Coast Water District v. California Public Utilities Commission, California Supreme Court Case No. S230728, Writ of Review
- 4) 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); First Appellate District Court of Appeals Case No. A145604
- 5) Marina Coast Water District vs. California-American Water Company, Monterey County Water Resources Agency, and Does 1 through 50, San Francisco Superior Court Case No. CGC-15-547125 (Complaint for Breach of Warranties, etc.)
- 6) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180839 (Petition for Writ of Mandate). Sixth District Court of Appeal Case No. H042742
- 7) Marina Coast Water District v, California State Lands Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180895 (Petition for Writ of Mandate)

- B. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Recycled Water Pipeline, Recycled Water
Agency Negotiators: Howard Gustafson, Thomas Moore
Negotiating parties: MRWPCA, MCWRA, MPWMD, City of Salinas, and others.
Under Negotiation: Price and Terms
- C. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Sewer Infrastructure
Negotiating parties: Howard Gustafson, Thomas Moore
Under Negotiation: Price and Terms

7:00 p.m. Reconvene Open Session

- 5. Reportable Actions Taken During Closed Session** *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present, and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*
- 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 February 2016
- B. Approve the Draft Minutes of the Regular Board Meeting of March 7, 2016

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. Discussion and Possible Action to Consider Adoption of Resolution No. 2016-17 to Accept The Dunes on Monterey Bay Phase 1C – First Phase Infrastructure Improvements Installed Under a Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and Shea Homes, L.P. for The Dunes on Monterey Bay – Phase 1C Development Project

Action: The Board of Directors will consider accepting improvements installed under an Infrastructure Agreement between Marina Coast Water District and Shea Homes for the Dunes on Monterey Bay, Phase 1C(1).

- B. Discussion and Possible Action to Consider Adoption of Resolution No. 2016-18 to Approve Amendment No. 2 to the Professional Services Agreement with Carollo Engineers, P.C. for Design of the Regional Urban Water Augmentation Project

Action: The Board of Directors will consider approving Amendment No. 2 to the Carollo Contract for the Regional Urban Water Augmentation Project and reaffirm work on Recycled Water projects.

- C. Discussion and Possible Action to Consider Adoption of Resolution No. 2016-19 to Award a Construction Contract to Monterey Peninsula Engineering for the Clark and Cosky Lift Station Improvement Project, and Use of the 2006 Certificates of Participation Proceeds for the Ord Community Service Area

Action: The Board of Directors will consider authorizing a construction contract with MPE for the Clark and Cosky Lift Stations Improvements Project.

- D. Discussion and Possible Action to Consider Providing Direction Regarding the Call for Nominations to Seat B of the California Special Districts Association Coastal Network

Action: The Board of Directors will consider providing direction regarding the call for nominations to Seat B of the CSDA Coastal Network.

- E. Discussion and Possible Action to Consider Providing Direction Regarding the Election of One Independent Special District Representative to the Local Agency Formation Commission

Action: The Board of Directors will consider providing direction regarding the election of one Independent Special District representative to the LAFCO.

- 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. Verbal Update on the Sprint Tower Site Sublease Fee Reduction

- B. Counsel's Report

- C. Committee and Board Liaison Reports

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

- 11. Board Member Requests for Future Agenda Items**

- 12. Director's Comments and Reports on Meetings** *Director reports on meetings with other agencies, organizations and individuals on behalf of the District and on official District matters.*

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

*Regular Meeting: Monday, April 4, 2016, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: March 21, 2016

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Consent Calendar

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

Background: *2015 Strategic Plan Mission Statement – 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.*

Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of February 2016
- B) Approve the Draft Minutes of the Regular Board Meeting of March 7, 2016

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Other Considerations: The Board of Directors can approve these items together or the Board can pull these items and discuss each one individually.

Material Included for Information/Consideration: Check register for the month of February 2016; and, the draft minutes of March 7, 2016.

Action Required: _____Resolution X Motion _____Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: March 21, 2016

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Receive and File the Check Register for the Month of February 2016

Staff Recommendation: The Board of Directors receive and file the February 2016 expenditures totaling \$1,220,837.85.

Background: *2015 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.*

Discussion/Analysis: These expenditures were paid in February 2016 and the Board is requested to receive and file the check register.

Environmental Review Compliance: None required.

Financial Impact: Yes 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.

Other Consideration: None.

Material Included for Information/Consideration: February 2016 Summary Check Register.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: March 21, 2016

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of March 7, 2016

Staff Recommendation: The Board of Directors approve the draft minutes of the March 7, 2016 regular Board meeting.

Background: *2015 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.*

Discussion/Analysis: The draft minutes of March 7, 2016 are provided for the Board to consider approval.

Environmental Review Compliance: None required.

Financial Impact: ___ Yes __X__ No Funding Source/Recap: None

Other Considerations: The Board can suggest changes/corrections to the minutes.

Material Included for Information/Consideration: Draft minutes of March 7, 2016.

Action Required: ___ Resolution __X__ Motion ___ Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: March 21, 2016

Prepared By: Brian True

Approved By: Keith Van Der Maaten

Reviewed By: Michael Wegley

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2016-17 to Accept The Dunes on Monterey Bay Phase 1C – First Phase Infrastructure Improvements Installed Under a Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and Shea Homes, L.P. for The Dunes on Monterey Bay – Phase 1C Development Project

Staff Recommendation: The District Board consider adopting Resolution No. 2016-17 accepting The Dunes on Monterey Bay Phase 1C – First Phase infrastructure improvements installed under the Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and Shea Homes, L.P. for the Dunes on Monterey Bay – Phase 1C development project.

Background: *Five-year Strategic Plan, Strategic Element 2.0 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District Standards.*

Shea Homes, L.P. (Developer) entered into a Water, Sewer, and Recycled Water Infrastructure Agreement (Infrastructure Agreement) with Marina Coast Water District (MCWD) for The Dunes on Monterey Bay – Phase 1C development project in the Ord Community portion of the City of Marina through MCWD's Resolution No. 2014-44 on October 20, 2014. The Developer then commissioned plans for and began work on the development with project plans titled The Dunes on Monterey Bay Phase 1C – First Phase (1C1). The infrastructure installation for 1C1 is now complete and the Developer requests that, consistent with the Infrastructure Agreement, MCWD now accept the transfer of ownership of the 1C1 infrastructure.

Discussion/Analysis: The 1C1 infrastructure improvements made by the Developer for which acceptance of ownership is requested includes potable water pipelines and appurtenances, recycled water pipelines and appurtenances, and sanitary sewer pipelines and appurtenances. The Developer installed all 1C1 improvements on behalf of MCWD within the boundaries of Dunes on Monterey Bay – Phase 1C development project; a depiction of the 1C1 infrastructure to be owned by MCWD may be found within the attached Bills of Sale that includes Exhibits mapping the locations of the infrastructure. The reason there are two Bills of Sale is because the infrastructure within 3rd Avenue and 10th Street was largely installed and tested (and placed in-service) in 2007 by Marina Community Partners (MCP). The Developer is the majority partner of MCP and more recently has taken direct responsibility for constructing the residential products within the Dunes on Monterey Bay development. However, the actual current owner of the 1C1 infrastructure installed in 2007 and completed most recently by the Developer is, in fact, MCP; thus the need to have two distinct Bills of Sale transferring ownership of all 1C1 water,

sewer, and recycled water infrastructure to MCWD at this time. The fact that project phase 1C1 is a continuation of previous efforts also leads to the rationale behind having only a single Warranty Bond. This occurs because the bond covering the work both in the past and today was put-in place originally by MCP; thus, MCP is providing the Warranty Bond that covers all the infrastructure being accepted for ownership by MCWD today. The total value of the infrastructure to be transferred to MCWD for ownership in this proposed action is \$1,569,946.

Under the terms of the Infrastructure Agreement, MCWD requires the following items prior to final acceptance:

- Final inspection and walk-through by MCWD to verify completion of all punch-list items
- Completed easements for all pipelines outside of public rights-of-way or recorded public utility easements
- Conveyance of the property to MCWD by means of a Bill of Sale
- Submission of As-Built drawings for the work
- Submission of a One-Year Warranty Bond

The developer and MCWD conducted a 1C1 punch-list walk-through and the associated corrective work was completed in January 2016. The easements appropriate for this transfer-of-ownership transaction were recorded in Monterey County as part of the Final Map recorded in February 2015; all currently proposed MCWD infrastructure/assets are located within the public right-of-way and public utility easements recorded on the subdivision's Final Map (no private easements were required for this project phase). Two Bills of Sale are prepared for execution and are awaiting this Board-action for Acceptance (see attached). As-Built drawings for the 1C1 improvements described above were received and accepted as adequate on March 3, 2016. The drafted Warranty Bond for 1C1 has been provided (see attached) and awaits this Board-action to be executed completely and provided to MCWD. The value of the draft Warranty Bond reflects the Infrastructure Agreement requirement for being 20% of the value of the infrastructure being transferred. In accord with the Infrastructure Agreement, this list fulfills the District's requirements and conditions for accepting ownership of the 1C1 installed infrastructure.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: There is no direct cost to MCWD in these transactions; however, a near-term future increase in operational and maintenance costs may be reasonably anticipated within the Ord Water and Ord Sewer cost centers as well as in increase in the Recycled Water cost center in the more distant future.

Other Considerations: None recommended.

Material Included for Information/Consideration: Resolution No. 2016-17; Bills of Sale (one from MCP and one from Shea Homes, L.P.) prepared for execution; and draft Warranty Bond.

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

Board Action

Motion By: _____ Seconded By: _____ No Action Taken: _____

Ayes: _____

Abstained: _____

Noes: _____

Absent: _____

March 21, 2016

Resolution No. 2016-17
Resolution of the Board of Directors
Marina Coast Water District

Accepting the The Dunes on Monterey Bay Phase 1C – First Phase Infrastructure Improvements
Installed Under a Water, Sewer, and Recycled Water Infrastructure Agreement
Between Marina Coast Water District and Shea Homes, L.P. for
The Dunes On Monterey Bay – Phase 1C Development Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (District, MCWD), at a regular meeting duly called and held on March 21, 2016 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Shea Homes, L.P., a California limited partnership (Developer), entered into a Water, Sewer and Recycled Water Infrastructure Agreement (Infrastructure Agreement) for The Dunes On Monterey Bay – Phase 1C development project in the Ord Community portion of the City of Marina with MCWD on October 20, 2014 by the adoption of Resolution No. 2014-44; and,

WHEREAS, the Developer prepared plans for the development project titled The Dunes on Monterey Bay Phase 1C – First Phase (1C1); and,

WHEREAS, the Developer has constructed water, sewer and recycled water infrastructure for 1C1; and,

WHEREAS, construction of the 1C1 water, sewer and recycled water infrastructure is complete and the Developer has now satisfied all of the close-out conditions required for 1C1 in the Infrastructure Agreement for The Dunes On Monterey Bay – Phase 1C development project; and,

WHEREAS, the Developer requests that the District take ownership of the 1C1 installed infrastructure. The total value of the infrastructure to be transferred to MCWD for ownership in this proposed action is \$1,569,946.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby accept the transfer of ownership of The Dunes on Monterey Bay Phase 1C – First Phase Water, Sewer, and Recycled Water Infrastructure for The Dunes On Monterey Bay – Phase 1C development project and directs the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on March 21, 2016 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 _____

Howard Gustafson, President

ATTEST:

Keith Van Der Maaten, 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. 2016-17 adopted March 21, 2016.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: March 21, 2016

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2016-18 to Approve Amendment No. 2 to the Professional Services Agreement with Carollo Engineers, P.C. for Design of the Regional Urban Water Augmentation Project

Staff Recommendation: The Board of Directors is requested to consider adopting Resolution No. 2016-18:

1. Reaffirming and authorizing work on recycled water and recycled water projects; and,
2. Approving the second amendment to the professional services agreement with Carollo Engineers, P.C. for design of the Regional Urban Water Augmentation Project (RUWAP), the total dollar amount not-to-exceed \$391,325; and,
3. Authorize the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

Board Goals and Objectives: *2015 Strategic Plan Mission Statement – To 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.*

Background: In 2006, the District engaged Carollo Engineers for design and bid-phase services for the recycled water (RW) pipeline, Fifth Avenue Pump Station, Blackhorse Reservoir, and on-call services for the RUWAP through Resolution No. 2006-68. Carollo Engineers commenced with the project work. MCWD utilized the request for proposals qualifications based selection process as required for state and federal funded professional services. In 2007, the drawings and specifications for the RW pipeline and Blackhorse Reservoir were placed “on-hold” status.

On May 12, 2009, the District approved Amendment No. 1 for final design of the RW pipeline and Carollo Engineers resumed work on the project. Pipeline designs (Figure 1) were completed for two reaches on each side of an existing pipe at California State University Monterey Bay (CSUMB). The first reach was from the boundary between Monterey Regional Water Pollution Control Agency (MRWPCA) and Armstrong Ranch to Fifth Avenue and Third Street where it would meet the CSUMB pipe. The second reach was from the other end of the CSUMB pipe at Fifth Avenue and Divarty to General Jim Moore Blvd and Normandy Road and up Normandy to the proposed Blackhorse Reservoir. The second reach was planned to connect to the existing pipeline in General Jim Moore Blvd from Normandy to South Boundary Road. The Blackhorse Reservoir design had not started and the Fifth Avenue Pump Station designs had begun when the RW project was once again placed on hold.

On June 15, 2015, the District approved the FY 2015-2016 Budget Capital Improvement Program through Resolution No. 2015-29 with, among other provisions, a freeze of the \$470,000

RUWAP Desal account line item until it was resolved, and a prohibition of work RW until authorized by the Board at a later date.

On November 16, 2015, the Board of Directors authorized RW expenditures, the submittal of the Clean Water State Revolving Fund (SRF) Financial Assistance Application for the RUWAP with the State Water Resources Control Board, and pledged RW revenues for repayment through Resolution Nos. 2015-55, 2015-56, and 2015-57.

On December 10, 2015, the Board of Directors authorized working with MRWPCA on a joint Advance Water Treatment (AWT) project that would deliver RW for the RUWAP project and for MRWPCA's Pure Water Monterey Groundwater Replenishment Project.

Discussion and Analysis: Combining the AWT project with the MCWD RUWAP conveyance pipeline provides better quality RW at a lower cost to MCWD customers than a tertiary treated RW project alone. The combined project also meets the terms of the 1998 Water/Wastewater Facilities Agreement with FORA to provide additional water supply for the Fort Ord Base Reuse Plan.

Having the project engineer on the project design that began in 2007, Anne Prudhel, Carollo Engineers has a strong understanding of the revised project scope. Carollo is well equipped to redesign the conveyance pipeline, and complete the pump station design to bidding services for the additional AWT project water. The scope of services includes design plans, specifications and estimate, calculations, permitting and right-of-way assistance, environmental support and bidding services. MCWD staff have reviewed Carollo's scope and schedule and find the negotiated fees for the time and materials not-to-exceed amount of \$391,325 to be reasonable.

The conveyance pipeline engineering during construction and construction management will only be considered once SRF financing is secured. Carollo also provided scope, schedule and fee estimates for the laterals and reservoir which are being deferred and will be brought to the Board for consideration once the SRF loan is approved.

Staff recommends the Board authorize the General Manager to execute the proposed Amendment No. 2 with Carollo Engineers by adopting Resolution No. 2016-18 and release RUWAP funds for expenditures.

Environmental Review Compliance: California Environmental Quality Act (CEQA) approval will be amended and will be scheduled for a future Board Hearing.

Financial Impact: _____Yes X No Funding Source/Recap: The 2015-2016 MCWD budget for the project Recycled Water from MRWPCA to Normandy, RW-0156, is \$750,000.

Other Considerations: None

Material Included for Information/Consideration: Resolution No. 2016-18; and Amendment No. 2 with attachments.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

March 21, 2016

Resolution No. 2016 – 18
Resolution of the Board of Directors
Marina Coast Water District
Approving Amendment No. 2
to the Professional Services Agreement with Carollo Engineers
for Recycled Urban Water Augmentation Project Design and Bidding Services

RESOLVED by the Board of Directors (“Board”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on March 21, 2016 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, in October 2004 the District Board of Directors certified its *Environmental Impact Report -- Regional Urban Water Augmentation Project* (Water Augmentation Project EIR); and,

WHEREAS, the FORA Board of Directors took action to approve a Capital Improvement Program and supporting financial programs for the water augmentation project; and,

WHEREAS, on August 9, 2006, the Board adopted Resolution No. 2006-68 that approved a Professional Services Agreement with Carollo Engineers for the design and bid-phase services for the recycled water pipeline, pump station, and storage tank for RUWAP; and,

WHEREAS, the District placed the recycled water portion of RUWAP “on-hold” in 2007 that placed the contract under Resolution No. 2006-68 in the same “on-hold” status; and,

WHEREAS, on May 12, 2009, the Board adopted Resolution No. 2009-31 that approved Amendment No. 1 to the Professional Service Agreement with Carollo Engineers to complete the project work and prepare the detailed engineering design, provide bid phase services for the recycled water pipeline and Blackhorse Reservoir, and provide as-requested services; and,

WHEREAS, on June 15, 2015, the Board adopted Resolution No. 2015-29 that approved a FY 2015-2016 Budget Capital Improvement Program and five-year Capital Improvement Projects Budget that froze the \$470,000 project entitled RUWAP desalination, GW-0157, and prohibited work RW until authorized by the Board at a later date; and,

WHEREAS, on November 16, 2015, the Board adopted Resolution Nos. 2015-55, 2015-56, and 2015-57 that approved RW expenditures, the submittal of the Clean Water State Revolving Fund (SRF) Financial Assistance Application for the RUWAP with the State Water Resources Control Board, and pledged RW revenues for repayment; and,

WHEREAS, on December 10, 2015, the Board adopted Resolution No. 2015-62 that approved the President executing an Advanced Treatment Water Delivery and Supply Agreement with Monterey Regional Water Pollution Control Agency (MRWPCA) that would deliver recycled water for the RUWAP project and for MRWPCA’s Pure Water Monterey Groundwater Replenishment Project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby reaffirm and authorize work on recycled water and recycled water projects; and,

BE IT FURTHER RESOLVED, to approve Amendment No. 2 to the Professional Services Agreement with Carollo Engineers, P.C. for design of the Regional Urban Water Augmentation Project, the total dollar amount not-to-exceed \$391,325; and,

BE IT FURTHER RESOLVED, to authorize the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on March 21, 2016 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 _____

Howard Gustafson, President

ATTEST:

Keith Van Der Maaten, 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. 2016-18 Adopted March 21, 2016.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: March 21, 2016

Prepared By: Andrew Sterbenz
Reviewed by: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2016-19 to Award a Construction Contract to Monterey Peninsula Engineering for the Clark and Cosky Lift Station Improvements Project, and Use of the 2006 Certificates of Participation Proceeds for the Ord Community Service Area

Staff Recommendation: The Board of Directors is requested to Adopt Resolution No. 2016-19 to:

1. Award a Construction Contract to Monterey Peninsula Engineering, Inc. for the Clark and Cosky Lift Station Improvements Project in the amount of \$1,192,325; and,
2. Approve the use of outstanding 2006 Certificates of Participation (COP) Proceeds for the Ord Community Service Area to fund a portion of the project; and,
3. Authorize the General Manager to execute the contract and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, the total project budget dollar amount for which shall-not-exceed \$1,395,020.

Background: *Strategic Plan, Element No. 2 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District standards.*

On February 25, 2016, District staff conducted a bid opening for the “Clark and Cosky Lift Station Improvements Project”. The project is for the replacement of two existing sewer lift stations, Marina Lift Station #5 on Cosky Drive (CIP MS-0133) and the Clark Lift Station in the Ord Community (CIP OS-0173). Both of these are wet-pit/dry-pit stations which have reached the end of their service life. Wet pit/dry pit stations require confined space entry for any pump maintenance activity. Both will be converted to wet-well pump stations with submersible pumps, and both will receive new standby diesel-electric generators.

Discussion/Analysis: Design of the Clark and Cosky Lift Station Improvements Project began in 2006, following completion of the Central Marina Wastewater Master Plan. Because the two lift stations being replaced were of similar age and construction, they were combined into a single bid package rather than advertising them separately. The project has appeared of the Capital improvements Program Budget since 2007, but has been delayed numerous times due to staff turn-over. The project was issued for bid on January 26, 2016, advertised in the Monterey Herald and Salinas Californian, and made available on the District website and at the Central Coast Builder’s Exchange.

The District received three bids for this project (tabulated below). The apparent low bidder is Monterey Peninsula Engineering (MPE), with a bid price of \$1,192,325. After checking references, staff recommends award to the low bidder, MPE.

Bidder	Price for MS-0133 Cosky L.S.	Price for OS-0173 Clark L.S. ₁	Total Bid Price
MPE	\$588,500.00	\$603,825.00	\$1,192,325.00
Don Chapin Co.	\$612,500.00	\$674,375.00	\$1,286,875.00
Anderson Pacific	\$658,500.00	\$749,000.00	\$1,407,500.00

Note 1: Clark cost includes the alternate items

The estimated cost for this project is \$1,395,020, which includes inspection, soil testing, and a 10% contingency. The marked increase above the budget estimate is due to (1) adding a generator replacement at Clark Lift Station during the final design, and (2) ten years of inflation since the original engineer's estimate used in the CIP.

	Cosky L.S.	Clark L.S.	Total
Bid Price (MPE)	\$588,500.00	\$603,825.00	\$1,192,325.00
Inspection (5%)	\$29,425.00	\$30,191.25	\$59,616.25
Geotech Testing (2%)	\$11,770.00	\$12,076.50	\$23,846.50
Contingency (10%)	\$58,850.00	\$60,382.50	\$119,232.50
Total	\$688,545.00	\$706,475.25	\$1,395,020.25

Individual project budget sheets are attached for both of the proposed lift station projects.

In order to reduce bypass pumping time, start of construction will be dependent on the long lead time for pump station equipment procurement and the project will not be able to utilize all of the Ord Community Sewer 2006 COP Proceeds by June 30, 2016. Therefore, staff will be recommending other capital projects that will be able to expend the bond proceeds and will be recommending adjusting the project Capital Improvement Budget for FY 2016-2017.

The FY 2016-2017 Capital Improvement Budget adjustment will be shown in the Board's next draft budget if the project is awarded.

Environmental Review Compliance: Replacement of existing utility facilities within existing sites is exempt from CEQA. A notice of exemption was filed with the County Clerk and the State CEQA Clearinghouse.

Other considerations: None.

Financial Impact: X Yes No Funding Source/Recap: Funding for this project comes from the FY 2015-2016 Capital Improvements Budget, Project MS-0133, Cosky Lift Station No. 5 and OS-0173, Clark Lift Station. Additional Funding in the FY 2016-2017 Budget of \$223,930 will be required to complete the Cosky Lift Station.

Material Included for Information/Consideration: Resolution No. 2016-19; and Budgets for the Clark and Cosky Lift Stations.

March 21, 2016

Resolution No. 2016-19
Resolution of the Board of Directors
Marina Coast Water District
Authorizing a Construction Contract with
Monterey Peninsula Engineering for the
Clark and Cosky Lift Station Improvements Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on March 21, 2016, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District Capital Improvement Program includes the Cosky Lift Station Replacement Project and the Clark Lift Station Replacement Project, to replace facilities which have reached the end of their service life; and,

WHEREAS, staff recommends contracting with Monterey Peninsula Engineering, Inc. to provide construction services for the Clark and Cosky Lift Station Improvements Project in the amount of \$1,192,325.00; and,

WHEREAS, an additional 17 percent is added to the budget for the project to cover soil testing, construction inspection services and a contingency; and,

WHEREAS, the 2006 Certificates of Participation (COP) Construction Funds are available for Ord Community sewer capital expenditures; and,

WHEREAS, the District is legally obligated to use the outstanding COP Fund proceeds by June 30, 2016; and,

WHEREAS, this work is categorically exempt under section 15301 of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby award a Construction Contract to Monterey Peninsula Engineering, Inc. for the Clark and Cosky Lift Station Improvements Project in the amount of \$1,192,325; and,

BE IT FURTHER RESOLVED, to approve the use of outstanding 2006 Certificates of Participation (COP) Proceeds for the Ord Community Service Area; and,

BE IT FURTHER RESOLVED, to authorize the General Manager to execute the contract and to take all actions and execute all documents as may be necessary or appropriate to give effort to this resolution, the total project budget dollar amount for which shall-not-exceed \$1,395,020.

PASSED AND ADOPTED on March 21, 2016, 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 _____

Howard Gustafson, President

ATTEST:

Keith Van Der Maaten, 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. 2016-19 adopted March 7, 2016.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: March 21, 2016

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Providing Direction Regarding the Call for Nominations to Seat B of the California Special Districts Association Coastal Network

Staff Recommendation: The Board of Directors is requested to consider providing direction regarding the Call for Nominations to Seat B of the California Special Districts Association (CSDA) Coastal Network.

Background: *2015 Strategic Plan, Mission Statement – 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.*

Discussion/Analysis: In February the CSDA Elections and Bylaws Committee sent a Call for Nominations to Independent Special Districts interested in running for Seat B for the 2017-2019 term. To be eligible, a person must be a Board member or managerial employee of the Independent Special District. Nominations must be received before May 20, 2016.

Environmental Review Compliance: None required.

Financial Impact: ___ Yes __X__ No Funding Source/Recap: None.

Other Considerations: None.

Material Included for Information/Consideration: CSDA letter dated February 19, 2016 with nomination form and information sheet.

Action Required: ___ Resolution __X__ Motion ___ Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: March 21, 2016

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Providing Direction Regarding the Election of One Independent Special District Representative to the Local Agency Formation Commission of Monterey County

Staff Recommendation: The Board of Directors is requested to consider providing direction regarding the election of one Independent Special District representative to the Local Agency Formation Commission of Monterey County (LAFCO).

Background: *2015 Strategic Plan, Mission Statement – 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.*

Discussion/Analysis: On February 1, 2016, LAFCO sent a Call for Nominations for Two Special District Seats on LAFCO for four-year terms with a deadline of March 1, 2016. On March 2, 2016, LAFCO sent a Ballot for Election of LAFCO Commissioner – Special District Regular Member. The Ballot must be received by LAFCO by April 8, 2016. A second ballot, for election of the Alternate Member, will be sent after the election of the Regular Member.

The candidates are Stephen Snodgrass, Pajaro/Sunny Mesa Community Services District, Warren Poitras, Monterey County Regional Fire Protection District; and Grant Leonard, North County Recreation and Park District.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: None.

Other Considerations: None.

Material Included for Information/Consideration: LAFCO letter dated March 2, 2016 with ballot and candidate statements.

Action Required: Resolution Motion Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____