



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

THOMAS P. MOORE
President

JAN SHRINER
Vice President

WILLIAM Y. LEE
HOWARD GUSTAFSON
HERBERT CORTEZ

Agenda
Regular Board Meeting, Board of Directors
Marina Coast Water District
and
Regular Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency
Marina Council Chambers
211 Hillcrest Avenue, Marina, California
Monday, July 16, 2018, 6:30 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the third Monday of each month with workshops scheduled for the first Monday of some months. 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

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 Wednesday, July 11, 2018. 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.

- 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
- 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 Nos. A145604, A146166, A146405
- 5) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case Nos. CGC-15-547125, CGC-15-546632 (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. 15CV00267
- 7) Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu vs Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey and Does 1-25, inclusive, Monterey County Superior Court Case No. 18CV000765 (Petition for Writ of Mandate or Administrative Mandate, and Complaint for Declaratory and Injunctive Relief and Breach of Contract)
- 8) LandWatch Monterey County v Marina Coast Water District and Does 1 through 25, inclusive, Monterey County Superior Court Case No. 18CV000877 (Petition for Writ of Mandate)
- 9) Keep Fort Ord Wild v Marina Coast Water District, Marina Coast Water District Board of Directors, and Does 1 through 25, Monterey County Superior Court Case No. 18CV000883 (Petition for Writ of Mandate)
- 10) Marina Coast Water District, and Does 1-100 v, County of Monterey, County of Monterey Health Department Environmental Health Bureau, and Does 101-110, Monterey County Superior Court Case No. 18CV000816 (Petition for Writ of Mandate and Complaint for Injunctive Relief)

B. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Sewer Infrastructure
Negotiating parties: Thomas Moore and Jan Shriner
Under Negotiation: Price and Terms

- C. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Unrepresented Employee - General Manager

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.*

- C. Adopt Resolution No. 2018-40 to Approve an Amendment to the General Manager's Contract

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

- A. Receive and File the Check Register for the Month of June 2018
- B. Approve the Draft Minutes of the Joint Board/GSA Meeting of June 18, 2018
- C. Adopt Resolution No. 2018-41 to Approve Prepayment of Marina Coast Water District's CalPERS Annual Employer Unfunded Accrued Liability Contribution for FY 2018-2019 in the Amount of \$140,699

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. Consider Approving the Realignment Plan for the Water Conservation Commission

Action: The Board of Directors will discuss and consider approving the realignment plan for the Water Conservation Commission.

- B. Consider Adoption of Resolution No. 2018-42 to Approve a Memorandum of Understanding between Marina Coast Water District and Seaside County Sanitation District to Resolve the Potential Annexation Overlap

Action: The Board of Directors will consider approving a Memorandum of Understanding between MCWD and Seaside County Sanitation District.

- C. Consider Adoption of Resolution No. 2018-43 to Authorize a Professional Services Agreement with EKI Environment & Water, Inc. for a Water Augmentation Alternatives Study

Action: The Board of Directors will consider authorizing a Professional Services Agreement with EKI Environment & Water, Inc. for a Water Augmentation Alternatives Study.

- D. Consider Adoption of Resolution No. 2018-44 to Approve Grants of Easements Between Marina Coast Water District and California State University at Monterey Bay

Action: The Board of Directors will consider approving Grants of Easements for the Regional Urban Water Augmentation Project Recycled Water Pipeline, Reservoirs A1/A2, pipelines ancillary to Reservoirs A1/A2, and Reservoir B2 from the California State University at Monterey Bay.

- E. Consider Adoption of Resolution No. 2018-45 to Approve a Grant of Easement Between Marina Coast Water District and the United States Department of The Army

Action: The Board of Directors will consider approving a Grant of Easement for the Regional Urban Water Augmentation Project Recycled Water Pipeline and Blackhorse Recycled Water Reservoir from the United States Department of The Army.

10. Staff Report

- A. Receive the 2nd Quarter 2018 MCWD Water Consumption and Sewer Flow Report
- B. Receive the Developer Account Quarterly Report as of March 31, 2018

11. 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
- 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. M1W Board Member Liaison
 - 7. LAFCO Liaison
 - 8. FORA
 - 9. WWOC Report
 - 10. JPIA Liaison
 - 11. Special Districts Association
 - 12. SVBGSA Liaison

12. Correspondence

13. Board Member Requests for Future Agenda Items

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

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

*Monday, August 20, 2018, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: July 16, 2018

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: *5-Year 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 June 2018
- B) Approve the Draft Minutes of the Joint Board/GSA Meeting of June 18, 2018
- C) Adopt Resolution No. 2018-41 to Approve Prepayment of Marina Coast Water District's CalPERS Annual Employer Unfunded Accrued Liability Contribution for FY 2018-2019 in the Amount of \$140,699

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Other Considerations: The Board of Directors can approve these items together or they can pull them separately for discussion.

Material Included for Information/Consideration: Check Register for June 2018; draft minutes of June 18, 2018; Resolution No. 2018-41; and, CalPERS Invoice No. 10000001538836 dated July 1, 2018.

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: July 16, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Receive and File the Check Register for the Month of June 2018

Staff Recommendation: The Board of Directors receive and file the June 2018 expenditures totaling \$7,153,871.15.

Background: *5-Year 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 June 2018 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: June 2018 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: July 16, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Joint Board/GSA Meeting of June 18, 2018

Staff Recommendation: The Board of Directors approve the draft minutes of the June 18, 2018 joint Board meeting.

Background: *5-Year 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 June 18, 2018 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 June 18, 2018.

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: 8-C

Meeting Date: July 16, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-41 to Approve Prepayment of Marina Coast Water District's CalPERS Annual Employer Unfunded Accrued Liability Contribution for FY 2018-2019 in the Amount of \$140,699

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-41 to approve prepayment of the District's FY 2018-2019 CalPERS annual employer unfunded accrued liability contribution in the amount \$140,699.

Background: *5-Year Strategic Plan, Goal No. 4 – To manage the District's finances in the most effective and fiscally responsible manner.*

The Miscellaneous Plan of the Marina Coast Water District (Plan) is part of the Public Agency portion of the California Public Employees Retirement System (CalPERS), a cost-sharing multiple-employer defined benefit plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California.

The total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount. The UAL amount represents the difference between the Plan's Accrued Liability and the Market Value of the Plan's Assets amortized over 30 years. The UAL is invoiced by CalPERS on a monthly basis with an option to prepay the annual amount by July 31st discounted 3.6% of the annual amount.

Discussion/Analysis: Staff is requesting the Board consider adoption of Resolution No. 2018-41 to approve prepaying the UAL for FY 2018-2019 in order to take advantage of the 3.6% discount of \$5,096. In addition, beginning in FY 2017-2018, CalPERS requires payments be made by ACH instead of by check. The District is charged a fee by the bank for each ACH processed. By prepaying the UAL, the District will also save staff time and costs by processing one invoice instead of twelve.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Funded through FY 2018/2019 Operating Budget of the Central Marina and Ord Community cost centers.

Other considerations: The Board can decide choose to pay on a monthly basis at a higher cost.

Material Included for Information/Consideration: Resolution No. 2018-41; and, CalPERS Invoice No. 10000001538836 dated July 1, 2018.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

July 16, 2018

Resolution No. 2018-41
Resolution of the Board of Directors
Marina Coast Water District
Approving Prepayment of Marina Coast Water District's
CalPERS Annual Employer Unfunded Accrued Liability Contribution
For FY 2018-2019 in the Amount of \$140,699

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on July 16, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the Miscellaneous Plan of the Marina Coast Water District (Miscellaneous Plan) is part of the Public Agency portion of the California Public Employees Retirement System (CalPERS), a cost-sharing multiple-employer defined benefit plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California; and,

WHEREAS, the total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount. The UAL amount represents the difference between the Plan's Accrued Liability and the Market Value of the Plan's Assets amortized over 30 years; and,

WHEREAS, the UAL is invoiced by CalPERS on a monthly basis with an option to prepay the annual amount by July 31st discounted 3.6% of the annual amount; and,

WHEREAS, by prepaying the UAL for FY 2018-2019 the District will realize a savings of \$5,096 plus the costs to process twelve invoices instead of one invoice.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve prepayment of the District's FY 2018-2019 CalPERS annual employer unfunded accrued liability contribution in the amount \$140,699.

PASSED AND ADOPTED on July 16, 2018 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:

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. 2018-41 adopted July 16, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Staff Report

Agenda Item: 9-A

Meeting Date: July 16, 2018

Prepared By: Patrick Breen

Approved by: Keith Van Der Maaten

Agenda Title: Water Conservation Commission Realignment Plan

Background: *Five-Year 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: Staff has been contemplating alterations to the Water Conservation Commission make up and operation to improve the effectiveness of the Commission through implementation of more formal and professional proceedings; clarification of roles, responsibilities, objectives, and goals; establishing necessary commission training and staff support to keep Commission informed on items within their purview; and, by creating a closer connection of the advisory body proceedings and necessary Board decisions.

Recommendations:

- 1) Modify the WCC bylaws to establish a 5-member commission. All current commissioners would be required to submit an application as the 5 seats will be new appointments. All existing appointments will cease, although current members will be able to apply. The Board will select the 5-member commission and appoint the Commission Chair. None of the 5-member commission seats will be restricted to a particular user group, City, organization, or other and would be selected “at large” to allow the board to put together a group of individuals they believe provides the best set of knowledge, skills, and abilities for the present needs of the District. The role of the commissioners and desired knowledge, skills, and abilities under this new framework will be clearly described in the application. The corresponding bylaw modifications would come to the Board in August 2018. Additionally, in August 2018, the Board would approve the application and formally begin the solicitation of applications for the new 5-member commission. In September 2018, the Board would select the new Commissions and appoint the new chair person. The first meeting of the new commission would be in October 2018. The Commissioners would serve for two-year terms and the initial term for 2 of the new 5-member commission would be randomly selected to serve for 3-years so that all members seats would not come up for re-appointment at the same time.
- 2) The New Commission will hold meetings in the District Beach Office Board Room with the members seated at the dais along with the Commission secretary (Water Resources Manager). The meetings will be conducted in the same manner as the District Board of Directors meetings (i.e. roll call, pledge of allegiance, etc.). The meetings will be run strictly to the agenda, including public comment periods as appropriate, again similar to District Board meetings. The Board liaison will not be required to attend the regular commission meetings, but is able to meet with Commission members and Commission

Secretary as appropriate and within Brown Act rules, to facilitate a strong connection between the advisory nature of the Commission and the Board. Upon the initial seating of the new Commission, and annually thereafter, staff will provide an orientation of known Board decisions for the year that the Commission will be discussing (but not limited to this list); will provide training on how to run a meeting, how to be in compliance with the Brown Act rules; the purpose of the Commission; and, an overview of key information regarding the District that will provide the commissions a good foundation for decisions as well as the ability to respond to questions they may field from the general public. Initial key decisions for Fiscal Year 2018-2019 may include:

- a. Outreach plans/setting outreach event schedule for the year
 - b. District Conservation Goals and evaluation metrics
 - c. Rebate Programs and Conservation Efforts (Expending Budgeted funds)
 - d. Review and updates to Policies and Ordinances
 - e. Water loss programs and conservation within the larger Water Resources Programs
- 3) Staff, along with the Commission chair, will establish the agendas. The agenda items shall only include those items that are in support of a decision that the Board is needing to make. The staff reports before the commission will be of the same style and professional level as would be provided to the Board and will include a staff recommendation. Staff reports to the commission may include additional details that allow the Commission to “dive deeper” into matters than the Board (in order to support the advisory opinion to the Board). Due to the fact the discussions at the Commission meeting may include more technical analysis than typical at a Board meeting, staff shall be prepared to present the necessary technical information in a concise, easy-to-understand, and professional manner and should plan for the possibility that agenda items may take more than one meeting for the advisory committee to come to a recommendation; however, staff may make the decision that sufficient time has been provided to the topic and provide the item to the board without an advisory recommendation from the Commission, should that be necessary. Staff will provide the Commission’s recommendation and staff’s recommendation to the Board when the matter next comes to the Board. The Commission will have regular monthly meetings scheduled but will only meet if there are items that need to be discussed to provide a recommendation for the board to make or if the Commission needs to be informed in support for future recommendations. The Working Group meetings will no longer be held. Throughout the year, as items are projected to come before the Board, staff will add the items to the Commission’s agenda first if they are under the purview of the commission such that the Board will receive the Commission’s advisory recommendation prior to Board consideration.

Environmental Review Compliance: None required.

Financial Impact: ___Yes X No Funding Source/Recap: None.

Material Included for Information/Consideration: None.

Action Required: _____Resolution _____Motion X Review

Board Action

Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: July 16, 2018

Prepared By: Keith Van Der Maaten

Approved by: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-42 to Approve a Memorandum of Understanding between Marina Coast Water District and Seaside County Sanitation District to Resolve the Potential Annexation Overlap

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-42 to approve a Memorandum of Understanding between Marina Coast Water District and Seaside County Sanitation District to resolve the potential Annexation Overlap.

Background: 5-Year Strategic Plan, Objective 1.0 - Our objective is to manage and protect our current water source (groundwater) and find alternative water sources. We will secure and protect our developed potable water sources sufficiently to supply current and future customers. Our water sources strategy is to work with local land use jurisdictions to determine what their ultimate and interim projected demands will be and explore alternative water sources such as desalination, surface water treatment and recycled water, to find the most efficient, and to secure cost effective water source portfolio.

The Marina Coast Water District (“MCWD” or “District”) provides water, wastewater, and in the near future, recycled water service to the former Ord Community under the Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA), dated March 13, 1998, under contracts with the U.S. Army and as further described in the Assignment of Easements on Former Fort Ord and Ord Military Community, County of Monterey, and Quitclaim Deed for Water and Wastewater Systems, between FORA and MCWD, dated October 24, 2001. The term of the FORA agreement is coincident with the legal existence of FORA. FORA is a public corporation of the State of California established by the FORA Act, and will cease to exist on June 30, 2020. Ownership of the water and wastewater infrastructure will remain with the District and service contracts with the U.S. Army remain in effect after FORA.

The District has made significant investment in the Ord Community in the form of water, wastewater and recycled water infrastructure, addition of staff and equipment, adoption of redevelopment standards and procedures, and the preparation of master plans and water supply project studies. Water service for Central Marina and the Ord Community is provided under a single water system permit. MCWD serves 33,000 residents through 8,300 connections.

Acting as the Lead Agency pursuant to CEQA guidelines, the District commissioned Denise Duffy and Associates to prepare and circulate for public review a Public Draft Initial Study/Negative Declaration (IS/ND) to evaluate the potential environmental effects associated with the Ord Community Sphere of Influence (SOI) Amendment and Annexation Project. The project proposes areas for annexation and the associated SOI amendment located in Monterey County, the City of Marina and the City of Seaside, California. The areas include developed parcels already served by the District as well as parcels approved for development with the Ord Community. The proposed project area is limited to specific areas within the redevelopment area under the Fort Ord Base Reuse Plan and specifically excludes protected open space areas on the former military base. The SOI and Annexation Project also adds two small areas outside the Ord Community currently

served by MCWD: Seaside High School within the City of Seaside as well as a small island area containing Ione Olson Elementary School and the Marina United Methodist Church within the City of Marina.

The Public Draft IS/ND was circulated for public review and comment over a 30-day period ending on January 19, 2018. The Board conducted a public hearing on the District’s Public Draft IS/ND for the Ord Community Sphere of Influence Amendment and Annexation on January 22, 2018. The public hearing provided a public forum for consideration of the comment letters and public comment to the Public Draft IS/ND. Following the public hearing the Board directed staff to prepare written responses to public comments and before considered taking further action on the Public Draft IS/ND. On February 20, 2018, the Board Adopted the Public Draft Initial Study/Negative Declaration for the Ord Community Sphere of Influence Amendment and Annexation and authorized the General Manager to file the Ord Community Sphere of Influence Amendment and Annexation application with the Local Agency Formation Commission.

Discussion/Analysis: LAFCO anticipates receiving a sphere of influence amendment/annexation application from the Seaside County Sanitation District (SCSD) that will present overlapping boundary issues both with MCWD’s existing services within the City of Seaside and with District’s contracted service area for development under the Base Reuse Plan in Seaside, Del Rey Oaks and Monterey. LAFCO has indicated both applications will be analyzed for consistency with the Cortese-Knox-Herzberg Act and locally adopted LAFCO policies and procedures.

In response to the anticipated overlap, on February 20, 2018, the MCWD Board directed staff to hold off on filing the LAFCO annexation application for up to 30 days to further work with SCSD on possible options to eliminate the potential “overlap”. Over the 30-day “freeze period”, MCWD and SCSD had productive and positive meetings, but did not come to an agreement within that initial 30-day period and MCWD staff followed through on submitting its LAFCO application in April 2018. However, due to the positive and productive nature of the meetings between MCWD and SCSD, the parties continued to work on an agreement in parallel with the LAFCO application process. The attached Memorandum of Understanding (MOU) is the result of coming to an agreement that would eliminate the potential future overlap in the annexation application.

The MOU resolves any potential overlapping annexation issues in exchange for both parties agreeing to work towards an agreement to set forth the terms and conditions for the SCSD to retain treated wastewater rights for use by SCSD and its member Cities. These wastewater rights retained by SCSD would be in addition to the current rights from the MCWD Ord Community Service Area. Essentially the MOU is comprised of the following two key points:

- The Parties agree to proactively work together to obtain the necessary approvals and agreements so that Parties are able to secure on terms agreeable to the Parties the right to treated wastewater for use by SCSD and its member Cities, which are in addition to the current recognized rights from the MCWD Ord Community Service Area.
- The SCSD agrees that it will not object to or oppose MCWD annexing any lands within MCWD’s Ord Community service area into MCWD’s jurisdictional boundaries for water, reclaimed water, and wastewater collection purposes.

Environmental Review Compliance: None required.

Financial Impact: _____ Yes ___X___ No Funding Source/Recap: None

Material Included for Information Consideration: Resolution No. 2018-42; and Memorandum of Understanding.

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

Board Action

Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

July 16, 2018

Resolution No. 2018-42
Resolution of the Board of Directors
Marina Coast Water District

Approving a Memorandum of Understanding between the Marina Coast Water District
and Seaside County Sanitation District to Resolve the Potential Annexation Overlap

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 16, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Marina Coast Water District provides sewer collection services and water services to its Central Marina service area and its Ord Community service area; and,

WHEREAS, Seaside County Sanitation District is a dependent special district with the cities of Seaside, Sand City, and Del Rey Oaks as member agencies. SCSD provides wastewater collection services to the cities with the sewer flows pumped to Monterey One Water (M1W) for treatment; and,

WHEREAS, Marina Coast Water District owns wastewater treatment capacity rights for treatment of MCWD wastewater flows to M1W’s Regional Wastewater Treatment Plant. Additionally, under the 1996 Annexation Agreement between MCWD and M1W (formally the MRWPCA), MCWD has the right to obtain from M1W, treated wastewater from the regional treatment plant for reuse by MCWD in quantities equal to the volume of MCWD wastewater treated by M1W, and such additional quantities as from time to time are not committed to any other users for beneficial use; and,

WHEREAS, SCSD owns wastewater treatment capacity rights for treatment of SCSD wastewater flows to M1W’s Regional Wastewater Treatment Plant. SCSD’s rights only cover wastewater flows from the existing SCSD service area. SCSD’s rights are separate and apart from MCWD’s Ord Community wastewater treatment capacity rights with M1W; and,

WHEREAS, MCWD and SCSD have discussed the potential for SCSD and its member cities to retain treated wastewater rights and this Memorandum of Understanding would be beneficial in moving those efforts forward; and,

WHEREAS, the Parties recognize that MCWD and SCSD have separately considered annexing overlapping portions of the former Fort Ord and this memorandum of understanding would resolve that issue; and,

WHEREAS, the Parties agree that it is in the best interests of each Party to enter into this Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2018-42 to approve a Memorandum of Understanding with the Seaside County Sanitation District.

PASSED AND ADOPTED on July 16, 2018, 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:

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. 2018-42 adopted July 16, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: July 16, 2018

Prepared By: Patrick Breen

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-43 to Authorize a Professional Services Agreement with EKI Environment & Water, Inc. for a Water Augmentation Alternatives Study

Staff Recommendation: The Board of Directors is requested to consider:

1. Adoption of Resolution No. 2018-43 to Authorize a Professional Services Agreement (PSA) with EKI Environment & Water, Inc. for a Water Augmentation Alternatives Study; and,
2. Authorize the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

Background: 5-Year 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.

In 1998, the Marina Coast Water District entered into the “Water/Wastewater Facilities Agreement” with FORA in which the parties agreed “FORA and MCWD intend to establish terms and conditions for FORA to plan and arrange for the provision of the facilities, and for MCWD to acquire, construct, operate, and furnish the facilities to benefit mutually the area and the area within MCWD’s jurisdictional Boundaries”, that “MCWD will design, and construct new water facilities as FORA in consultation with MCWD, reasonably determines are necessary for the service area and to support the Base Reuse Plan (BRP) recovery program” and, that “MCWD will recover all of its direct and indirect, short term costs of furnishing facilities to the service area.”

FORA has determined in its Base Reuse Plan that new additional facilities capable of delivering 2,400 acre-feet per year (AFY) of water for the redevelopment of the Fort Ord Community are required.

In 2005, FORA and MCWD approved a recommendation consisting of two projects (Recycled & Desalination) known as the “Regional Urban Water Augmentation Project” (RUWAP) to satisfy the water required pursuant to California Environmental Quality Act (CEQA) Impact Report associated with the Base Reuse Plan.”

In 2007, FORA and MCWD modified the RUWAP to provide 1,427 of recycled water to the Ord Community.

In 2016, MCWD and the Monterey One Water (formerly Monterey Regional Water Pollution Control Agency) entered into the “Pure Water Delivery and Supply Project” (Pure Water) agreement wherein MCWD secured the right to 1,427 AFY of the Pure Water treated water for augmentation of the Ord Community supply.

After the Pure Water component of the RUWAP was finalized, the determination of how best to supply the additional 973 AFY of augmented water (to meet the total 2,400 AFY BRP requirement) remained. Previous planning had identified this supply as coming from a large regional desalination plant.

In 2015, the FORA Board endorsed a joint water supply planning process among MCWD, FORA, and Monterey One Water (M1W). On May 13, 2016, MCWD, FORA, and M1W agreed in a “Memorandum of Understanding (MOU) Regarding Fort Ord Water Augmentation and Three-Party Effort to Study Alternatives” to identify alternatives to supply the additional 973 AFY of Water Augmentation and to share costs for this work equally.

As the agency managing the process to identify the additional water augmentation need (at the time), FORA issued a Request for Proposals for a “Water Augmentation Alternatives Study” (within Attachment 1).

FORA received only one response for the RFP. The response was provided by EKI Environment & Water, Inc.

Subsequently it became clear to FORA staff that (given the limited amount of time the agency has remaining to exist) its staff would not be able to adequately manage this planning process and requested that MCWD subsume the effort as a part of MCWD’s planning efforts. FORA then approved Amendment #1 to the “Memorandum of Understanding Regarding Fort Ord Water Augmentation and a Three-Party Effort to Study Alternatives” which is awaiting execution by M1W and MCWD (Attachment 2). If the Board authorizes the PSA with EKI, execution of the agreement would be done following approval of the Amendment #1. MCWD is waiting to approve once M1W has approved.

Upon receiving clarification from District Counsel that the scope of work proposed in the RFP response is a “professional service” and that FORA had conducted a formal proper procurement process receiving only one response, that an additional procurement process would not be required or necessary; District staff reviewed the RFP, RFP response, and determined EKI to be well suited to complete the study. Staff determined EKI to be well suited based on previous water augmentation studies for the District and its familiarity with water resources in the region.

Staff then requested EKI to re-date and re-address the proposal to MCWD attached (Attachment 1).

Based on the scope of work provided in Exhibit A, EKI proposes time and expense, not-to-exceed budget of \$190,000. Two thirds of the expense will be recouped from FORA and M1W (upon execution of Amendment #1 to the Three-Party MOU Regarding Ft. Ord Water Augmentation). Staff believes the proposal is reasonable and consistent with the level of effort anticipated and consistent with other professional service proposal amounts and rates.

Given the above, staff is recommending the Board authorize a professional services agreement with EKI Environment & Water pursuant to their response to the FORA RFP for a “Water Augmentation Alternatives Study” upon execution by M1W and MCWD of Amendment #1 to the “Memorandum of Understanding Regarding Fort Ord Water Augmentation and a Three-Party Effort to Study Alternatives.”

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Funding for the District's portion of this professional services agreement comes from the Water Resources Department Consultants Budget.

Other considerations: The Board can decide to authorize a professional services agreement with EKI Environment & Water, Inc., reject EKI's proposal and direct staff to re-advertise for these professional services, or remand the issue back to FORA.

Material Included for Information/Consideration: Resolution No. 2018-43; Attachment 1: EKI Proposal & Scope of Work; and, Attachment 2: Amendment #1 to the "Memorandum of Understanding Regarding Fort Ord Water Augmentation and a Three-Party Effort to Study Alternatives."

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

July 16, 2018

Resolution No. 2018-43
Resolution of the Board of Directors
Marina Coast Water District
Authorizing a Professional Services Agreement with EKI Environment & Water, Inc.
for a Water Augmentation Alternatives Study

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District Groundwater Sustainability Agency (“District”), at a regular meeting duly called and held on July 16, 2018, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District entered into the “Water/Wastewater Facilities Agreement” with the Fort Ord Reuse Authority in 1998 in part to provide necessary water facilities to augment water supply pursuant to the California Environmental Quality Act (CEQA) Base Reuse Plan (BRP) mitigations; and,

WHEREAS, in 2016, MCWD and Monterey One Water (formerly Monterey Regional Water Pollution Control Agency) entered into the “Pure Water Delivery and Supply Project” (Pure Water) agreement wherein MCWD secured the right to 1,427 AFY of the Pure Water treated water for augmentation of the Ord Community supply; and,

WHEREAS, on May 13, 2016, MCWD, FORA, and M1W agreed in a “Memorandum of Understanding (MOU) Regarding Fort Ord Water Augmentation and Three-Party Effort to Study Alternatives”; and,

WHEREAS, the Fort Ord Reuse Authority has requested the Marina Coast Water District manage the water augmentation alternatives study to provide water supply options for the remaining amount of water to satisfy the CEQA Base Reuse Plan water supply mitigations through passage of Amendment #1 to the “Memorandum of Understanding Regarding Fort Ord Water Augmentation and a Three-Party Effort to Study Alternatives”; and,

WHEREAS, EKI Environment & Water, Inc. staff is familiar with the Marina Coast Water District and has demonstrated extensive knowledge related to Water Resources and Planning; and District staff believes that the monetary resource proposed herein is reasonable given the complexities of the work; and,

WHEREAS, the District Board adopted the FY 2018/2019 Budget that includes Water Resources Consultant Services with monetary resources for Water Supply Planning.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to execute a professional services agreement with EKI Environment & Water, Inc. for preparing a Water Augmentation Alternatives Study pursuant to the EKI Environment and Water proposal for Professional Services dated July 5, 2018, and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, the total dollar amount not-to-exceed \$190,000 (contingent upon approval of Amendment #1 to the “Memorandum of Understanding (MOU) Regarding Fort Ord Water Augmentation and Three-Party Effort to Study Alternatives” by M1W and MCWD).

PASSED AND ADOPTED on July 16, 2018 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:

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. 2018-43 adopted July 16, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: July 16, 2018

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-44 to Approve Grants of Easements Between Marina Coast Water District and California State University at Monterey Bay

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-44 approving the Grants of Easements between Marina Coast Water District and California State University of Monterey Bay for the Regional Urban Water Augmentation Project Recycled Water Pipeline, Reservoirs A1/A2, pipelines ancillary to Reservoirs A1/A2, and Reservoir B2.

Background: *5-Year 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.*

For several years, CSUMB contested the Districts' Capacity Fees calculations that were also a part of the 2006 Settlement Agreement with CSUMB. Subsequently, as part of CSUMB's master planning efforts and CEQA approvals in 2007 and 2008, it was intended that CSUMB would be providing a pipeline easement to MCWD for its RUWAP recycled water project. However, CSUMB continued to have issues with the prior determination of fair compensation for the RUWAP easement among other issues subsequent to the 2006 Settlement Agreement.

On July 17, 2017, the Board adopted Resolution No. 2017-45 to approve a temporary construction permit application for the Regional Urban Water Augmentation Project (RUWAP) Pipeline with California State University at Monterey Bay (CSUMB); however, the permit was not issued due the long-standing issues that CSUMB wanted resolved prior to approving the construction permit. Staff met with CSUMB on the many issues that CSUMB intertwined with the construction permit until agreeable terms were finally reached.

On April 26, 2018, the Board adopted Resolution No. 2018-25 to approve a revised temporary construction permit which contained terms and conditions to settle many of the issues CSUMB contested since entering into a settlement agreement with the District in 2006.

In lieu of paying the appraised fair-market value for the RUWAP Pipeline easement to resolve CSUMB's issue receiving fair compensation, MCWD waived the capacity fees and in-tract improvement costs for the Academic III and Student Union building that CSUMB is currently working on. Staff analyzed the "cost" of waiving the fees and in-tract costs to the cost of paying the appraised value of the easement and it was determined to be equivalent. The Temporary Permit also contained a vast amount of CSUMB permitting requirements for contractors which the District assigned to the Contractor for the RUWAP project by construction contract.

Discussion/Analysis: The 2006 Settlement Agreement with CSUMB would have provided easements to MCWD for its future Reservoirs A1/A2 and Reservoir B2. The temporary permit for construction of the RUWAP pipeline through the University also contained language requiring CSUMB to provide MCWD with the easements for water reservoir sites, ancillary pipelines and the the RUWAP pipeline by July 31, 2018. Attachment 1 is a map of the CSUMB Campus depicting the subject easement areas.

The easement for Reservoir Site A1/A2 is located north of Inter-Garrison Road and west of CSUMB. The District plans to construct two 2.1 million gallon potable water reservoirs to serve the A zone pressure system and a booster pump station for the B and C pressure zones. Design is scheduled for this fiscal year with construction slated between 2020 and 2021. Total project cost is estimated to be \$10,279,000 including the ancillary pipelines. Attachment 2 is the Agreement and Grant of Easement, legal description, and plat for the Reservoir Site A1/A2 easement.

The Ancillary Pipeline easement is for three pipelines that will connect the A1/A2 Reservoirs and the B/C Booster Booster Pump Station to existing pipelines. The first pipeline will connect the reservoirs to the A zone system. The two other pipelines will connect the B and C Booster Pumps to the B and C zone pressure systems. The pipes will be between 18 and 24 inches in diameter. Attachment 3 is the Agreement and Grant of Easement, legal description, and plat for the Ancillary Pipeline easement.

The Reservoir Site B2 easement is for a 2 million gallon potable water reservoir that will be constructed off of Colonel Durham Road next to Reservoir B1. Reservoir B1 is located on the northeast corner of Colonel Durham Road and 6th Avenue. Design and construction of the reservoir is planned to begin fiscal year (FY) 2020-21 in the District Five Year Capital Improvement Program. Total project cost is estimated to be \$2,415,000. Attachment 4 is the Agreement and Grant of Easement, legal description, and plat for the Reservoir Site B2 easement.

The RUWAP Pipeline easement is for all of the recycled water pipeline through CSUMB north of the intersection of General Jim Moore Boulevard and Lightfighter Drive to the Eighth Avenue Cutoff and Fifth Avenue. It includes 1,979 feet of existing 16 inch diameter pipe and 6,172 feet of new 24 inch diameter pipe. Attachment 5 is the Agreement and Grant of Easement, legal description, and plat for the RUWAP Pipeline easement.

Environmental Review Compliance: None required.

Other Considerations: The Board may desire to consider other alternatives to adopting the motion as recommended by staff including:

1. Modifying or conditioning the action; or,
2. Direct further staff work; or,
3. Deny the action.

Financial Impact: _____ Yes X No Funding Source/Recap: The District waived approximately fees for the Academic III and Student Union Building in lieu of paying \$550,000 in appraised value for the RUWAP easement to CSUMB with the temporary construction permit.

Material Included for Information/Consideration: Resolution No. 2018-44; Attachment 1 - CSUMB Easement Map; Attachment 2 - Reservoirs A1/A2 Easement; Attachment 3 - pipelines ancillary to Reservoirs A1/A2 Easement; Attachment 4 - Reservoir B2 Easement; and, Attachment 5 – Regional Urban Water Augmentation Project Recycled Water Pipeline Easement.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

July 16, 2018

Resolution No. 2018-44
Resolution of the Board of Directors
Marina Coast Water District

Approving Grants of Easements between Marina Coast Water District and
California State University of Monterey Bay for the Regional Urban Water Augmentation
Project Recycled Water Pipeline, Reservoirs A1/A2, pipelines ancillary to Reservoirs A1/A2,
and Reservoir B2

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District” or “MCWD”), at a regular meeting duly called and held on July 16, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, California State University of Monterey Bay (CSUMB) has coordinated with the District on their Regional Urban Water Augmentation Project (RUWAP) Recycled Water Pipeline and Blackhorse Recycled Water Reservoir, consisting of new construction and related infrastructure, within the CSUMB portion of the Ord Community; and,

WHEREAS, the Fort Ord Reuse Authority has allocated a portion of its former Fort Ord water supply allocation for CSUMB’s use in developing the University, and,

WHEREAS, the District and CSUMB are working cooperatively regarding RUWAP; and,

WHEREAS, the District and CSUMB have agreed upon the proposed Temporary Permit; and,

WHEREAS, in lieu of paying the appraised fair-market value for the RUWAP easement, A1/A2 reservoir site easements, pipelines ancillary to A1/A2 reservoir sites, B3 reservoir site easement, and to resolve CSUMB’s issue receiving fair compensation for the RUWAP pipeline easement, MCWD waived the capacity fees and in-tract improvement costs for the Academic III and Student Union building that CSUMB is currently working on. Staff analyzed the “cost” of waiving the fees and in-tract costs to the cost of paying the appraised value of the easement and it was determined to be equivalent; and,

WHEREAS, on April 26, 2018, MCWD entered into the Temporary Construction Permit wherein CSUMB was to provide easements for the RUWAP, A1/A2 reservoir sites, pipelines ancillary to A1/A2 reservoir sites, and, B3 reservoir site by July 31, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize and direct the General Manager to execute the Grant of Easements for water reservoir site A1/A2, water reservoir site B3, pipelines ancillary to reservoir site A1/A2, and for the RUWAP pipeline between MCWD and California State University of Monterey Bay for the Regional Urban Water Augmentation Project Recycled Water Pipeline after consultation with the District’s Legal Counsel such non-substantive changes as may be approved by the General Manager, and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on July 16, 2018, 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:

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. 2018-44 adopted July 16, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: July 16, 2018

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-45 to Approve a Grant of Easement Between Marina Coast Water District and the United States Department of The Army

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-45 authorizing the General Manager to execute the Grant of Easement Agreement between MCWD and Department of The Army for the RUWAP Recycled Water Pipeline and Blackhorse Recycled Water Reservoir and to take all actions and execute all documents as may be necessary or appropriate

Background: *5-Year 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.*

Discussion/Analysis: The Board of Directors is requested to approve an Easement for Water Pipeline Right-of-Way (hereafter referred to as the Easement) between MCWD and the United States Department of The Army (US ARMY) located along General Jim Moore Boulevard within the Ord Military Community for the Regional Urban Water Augmentation Project (RUWAP). The existing pipeline was constructed at the time that the Fort Ord Reuse Authority (FORA) built General Jim Moore Boulevard. FORA did not obtain the road right-of-way for General Jim Moore Boulevard from the Army within the Ord Military Community to dedicate the street for travel way and utilities. Therefore the District has to obtain the subject easement for the existing pipeline from Normandy southward to just past Arloncourt within the Ord Military Community. The draft Agreement (attached) and plan view exhibit provides a description of the pipeline easement.

The specific infrastructure proposed for the easement is existing 16” ductile iron non-potable water pipeline, associated water valves, and other appurtenances. The consideration in the total amount of \$331,000 is based on a fair market value appraisal prepared by Brigantino & Company (attached). The District has easements for the new pipeline under construction in the rest of the Ord Community.

Environmental Review Compliance: The RUWAP Environmental Impact Report meets both California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) requirements.

Other Considerations: None

Financial Impact: X Yes No Funding Source/Recap: Financial impacts will be reimbursed through the Fort Ord Reuse Authority.

Material Included for Information/Consideration: Resolution No. 2018-45; Attachment 1 - Grant of Easement with Exhibits; and, Attachment 2 - Appraisal Report.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

July 16, 2018

Resolution No. 2018 - 45
Resolution of the Board of Directors
Marina Coast Water District
Approving a Grant of Easement Agreement
Between Marina Coast Water District and Department of The Army
for the Regional Urban Water Augmentation Project
Recycled Water Pipeline and Blackhorse Recycled Water Reservoir Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 16, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the Fort Ord Reuse Authority has allocated a portion of its former Fort Ord water supply allocation for the Ord Community, and,

WHEREAS, United States Department of the Army (US ARMY) has coordinated with the District on their Regional Urban Water Augmentation Project (RUWAP) Recycled Water Pipeline and Blackhorse Recycled Water Reservoir, consisting of new construction and related existing infrastructure, within the US ARMY portion of the Ord Community; and,

WHEREAS, the District and US ARMY are working cooperatively regarding RUWAP; and,

WHEREAS, the District and US ARMY have tentatively agreed upon the proposed Grant of Easement Agreement and desire to enter into same.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to execute the Grant of Easement Agreement between MCWD and Department of The Army for the RUWAP Recycled Water Pipeline and Blackhorse Recycled Water Reservoir and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on July 16, 2018, 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:

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. 2018-45 adopted July 16, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Staff Report

Agenda Item: 10-A

Meeting Date: July 16, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: 2nd Quarter 2018 MCWD Water Consumption and Sewer Flow Report

Summary: The Board of Directors is requested to receive the 2nd Quarter 2018 District Water Consumption and Sewer Flow Report. Quarterly water consumption reports of the Ord Community have been submitted to the Board since 2006 and are organized by land-use jurisdiction. Reports submitted since 2016 include the consumption information for Central Marina as well as an analysis of variances between current-year projected consumption and prior-year consumption.

This staff report normally includes tracking information on sewer flows through the Monterey One Water Agency's (M1W) Fort Ord and Marina pump stations. However, flow data was not available at time of publication of the staff report.

The Ord Community's sanitary sewer flow to the Monterey Regional Water Pollution Control Agency (MRWPCA) interceptor system is measured by a District flume structure located adjacent to the retired Main Garrison wastewater treatment plant.

Below are informational annotations for the data included in the report:

- The rainfall total for the 2nd quarter of 2018 (April, May, June) in Marina was 2.56 inches. This amount of rainfall was 0.95 inches higher than the 30 year historical quarterly average of 1.61 inches.
- Marina's rain-year total (past twelve months) of 11.56 inches is 77% of the historical average amount, 14.9 inches.
- The reference evapotranspiration rate in South Salinas for the 2nd quarter of 2018 was 16.01 inches. This measurement was 0.71 inches below the historic quarterly average reading of 16.72 inches.

Marina Coast Water District
Staff Report

Agenda Item: 10-B

Meeting Date: July 16, 2018

Prepared By: Brian True

Approved By: Keith Van Der Maaten

Reviewed By: Michael Wegley

Agenda Title: Developer Account Quarterly Report as of March 31, 2018

Background: 5-Year Strategic Plan, Objective No. 2 – 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.

Staff provides quarterly reports to the Board on the status of the Development Accounts. The Board asked staff to improve the delinquent accounts and the process for managing development accounts.

Discussion/Analysis: This 3rd quarter (of Fiscal Year - through March 31, 2018) Developer Account Update uses the current format for the Developer Deposit Balances sheet (attached) first presented to the Board in September 2016. The significant on-going developments have been invoiced recently in order to maintain their positive balances with MCWD; expressly, the invoiced projects include East Garrison, Dunes, Dunes Residential, Marina Heights/Sea Haven, and CHISPA Junsay Oaks.

A new project intake process (attached Project Application) is now in-place and being used. The use of a designed Project Application form (a draft was provided to the Board during the February 21, 2017 Board meeting) will assist MCWD staff in meeting the mission of these Developer Account Updates in several respects:

- This form creates a legally enforceable agreement not just for MCWD codes and ordinances but also for cost recovery of MCWD expenses.
- This form will take an initial step in improving the internal workflow process – observing that there are several more difficult steps to undertake.
- This form will further refine the format of the Developer Deposit Balances sheet so that, in the future, the sheet will be divided between large and small active projects. This will separate subdivision developers from single parcel developments that have significantly different magnitudes, processes, and levels of outcomes.
- This form provide a user-friendly Application for small and medium-sized single parcel development projects.

The next step is the most challenging - to integrate the form's information fields with MCWD's existing database accounting tools such that the information contained in the new form will become part of the Developer Deposit Balances sheet (and others) in a seamless and automated manner between the Engineering, Customer Service, Operations and Finance Departments. Earlier attempts to use existing modules and methods MCWD possesses were fruitless; the management results that needed to be achieved were not feasibly generated by the existing tools.

District staff is working on a reporting system (that will appear similar to the current Developer Deposit Balances sheet) that lists deposits and expenses only for resources utilized to conduct the planning, design, and installation of the proposed project's infrastructure separate from deposits and expenses for other development costs such as meter deposits. The single-deposit balance yields a lack of clarity in the Developer Account reporting, as exemplified by these two cases:

- The inclusion of all payments received (or invoiced and then deemed owed) – i.e. the single-deposit balance – allows the deposits received and invoices not paid under the terms of the suspended 300-AFY Existing Desal Agreement to be included in the Developer Deposit Balances sheet for the Cypress Knolls, Marina Heights (Sea Haven), and Dunes projects. These three projects have deposits (and the lack of payments) that currently impact the Deposit Available or Balance Due, making an accurate assessment of on-hand deposit or balance due for development review difficult (and if precision is needed – impossible).
- This single-deposit balance lacks clarity because costs-to-connect for the large, on-going development projects are included as payments received. These payments, specifically for water meters and to commence sewer service, are generally so large as to blind the value that is really trying to be tracked (i.e. the internal costs for MCWD's labor and consultancies to work with the developers to achieve their objectives).

Keeping in mind that one of the overall objectives is to be able to report back to the development teams providing their resources to MCWD (in return for MCWD's services on behalf their project) regarding the status and use of those provided resources, the challenge has been to get the two envisioned tools – the Project Application form and the Developer Account Balances sheet - to work together in an integrated and automated fashion. The output of these two tools will need to incorporate data/information from several sources over any given time period with the information being current (or timely) and precise. A bridge that might be generated using an existing IT platform may be the utilization of the current CitiWorks program being used by the O&M Department (mainly for work-orders) for the generation of detailed work-flow-processes. This may enable the sharing of data and information between IT tool platforms in a surprisingly straightforward manner. Meetings between staff are being conducted and forward progress is being made during each event; however, the task is daunting and will require many person-hours and much calendar-time to achieve.

The most recent Developments that have gained momentum are the City of Seaside's Main Gate project and the Marina Heights/Sea Haven project complex. The Marina Heights/Sea Haven complex has recently seen the transfer of ownership to a single Builder/Developer (Wathen Castanos). This is allowing for a focus on the build-out of the entire remaining portion of the old Marina Heights development. The Infrastructure Agreement between MCWD and the developer for the Sea Haven Phases 3-5 development project has been a recent/current Board action. The City of Seaside's Main Gate development has recently provided payment to MCWD for modifying the project's Water Supply Assessment such that a project EIR Addendum can be prepared and accepted by Seaside's City Council. In 2008 (approximately), MCWD prepared a WSA for the Main Gate development but the project failed to advance through the economic downturn of the time. The City of Seaside is proposing to maintain the general nature of the project such that an entirely new EIR will not be required.