



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

HOWARD GUSTAFSON
President

PETER LE
Vice President

THOMAS P. MOORE
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, September 21, 2015, 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
(Subdivision (a) of Section 54956.9)

- 1) 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 Wednesday, September 16, 2015. 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) 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)
- 3) 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.)
- 4) 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
- 5) 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: Peter Le and Howard Gustafson
 Negotiating parties: MRWPCA, MCWRA, MPWMD, City of Salinas, and others.
 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.*

4. A.1. Consider Authorizing the Filing of Scoping Comments on the Proposed Draft Environmental Impact Statement by the Monterey Bay National Sanctuary for a California American Water Company Permit Application

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 August 2015
- B. Approve the Draft Minutes of the Regular Board Meeting of September 8, 2015

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. 2015-46 to Authorize a Construction Contract with Andersen Pacific Engineering Construction, Inc. for the Reservation Road Siphon Remediation Project

Action: The Board of Directors will consider authorizing a construction contract with Andersen Pacific Engineering Construction, Inc. for the Reservation Road Siphon Remediation Project.

- B. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-47 to Amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for Updating the 2015 MCWD Urban Water Management Plan

Action: The Board of Directors will consider amending the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for updating the 2015 MCWD Urban Water Management Plan.

10. Correspondence Received by the District, Directors and General Manager

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

12. Board Member Requests for Future Agenda Items

13. 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.*

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

*Regular Meeting: Monday, October 5, 2015, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: September 21, 2015

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 – 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.*

Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of August 2015
- B) Approve the Draft Minutes of the Regular Board Meeting of September 8, 2015

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: The August 2015 Check Register; and, the draft minutes of September 8, 2015.

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: September 21, 2015

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Receive and File the Check Register for the Month of August 2015

Staff Recommendation: The Board of Directors receive and file the August 2015 expenditures totaling \$949,588.91.

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 August 2015 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: August 2015 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: September 21, 2015

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of September 8, 2015

Staff Recommendation: The Board of Directors approve the draft minutes of the September 8, 2015 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 September 8, 2015 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 September 8, 2015.

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: September 21, 2015

Prepared By: Patrick Breen
Reviewed By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-46 to Authorize a Construction Contract with Andersen Pacific Engineering Construction, Inc. for the Reservation Road Siphon Remediation Project

Staff Recommendation: The Board of Directors adopt Resolution No. 2015-46 to award a Construction Contract including all alternates to Andersen Pacific Engineering Construction, Inc. for the Reservation Road Siphon Remediation Project.

Background: *2015 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 August 27, 2015, District staff conducted a bid opening for the “Reservation Road Siphon Remediation Project”. The project is for replacement of the Lift Station #2 existing force main located west of Dunes Road. The construction consists of the installation of approximately 1,779 linear feet (LF) 8” PVC sanitary sewer force main in Dunes Road and Reservation Road, 1,501 LF of 6” PVC sanitary sewer main from the District Office in Reservation Road to Lift Station #2, and minor modifications to Lift Station #2 including piping, wet well access, fencing paving and electrical work.

Lift Station #2 was originally built to pump wastewater up the hill from Dunes Road to the wastewater treatment plant at 11 Reservation Road. Once the plant was abandoned, the force main was connected over to the force main that formerly pumped wastewater up to the plant from Reservation Road by the Monterey Water Pollution Control Agency (PCA) lift station. The current configuration of the force main is to pump wastewater uphill to the former Beach wastewater treatment plant, then back down Reservation Road past Dunes Road, under the freeway and over the hill to the PCA lift station. The new configuration will greatly reduce the lift stations carbon footprint and energy costs. Also, once this project is complete the District will still own two additional pipelines within Reservation Road that pass under Highway 1 for future re-use. One is an inactive recycled water main and the other will be an inactive force main.

Discussion/Analysis: The District received three bids for this project. The apparent low bidder, the Monterey Peninsula Engineering (MPE) was found to have a base bid much lower than the other bids received. Subsequently, MPE withdrew their bid pursuant to Article 16 in the Instruction to Bidders within the 24 hour period.

The next lowest bid received was from Anderson Pacific Engineering Construction (APEC) for \$853,853.00 for the base bid, Alternate #1 for \$11,000.00 (for an alternate gravity connection to the State Beach Restroom), and Alternate #2 for \$11,000.00 (for an alternate gravity connection to the State Park offices).

The third base bid received was from the Don Chapin Company for \$1,129,020.00.

Due to the request for withdrawal of the lowest bid from MPE, Staff is recommending the Board consider awarding the project to the lowest responsive bidder, Andersen Pacific Engineering Construction, Inc. for their base bid. If it is decided to do Alternate #1 and #2, the cost will come out of the 10% contingency.

Total cost of the work, including a 10% allowance for contingency, would be \$939,238.00.

The 2015-2016 CIP Budget for this project is \$1,314,699.00.

Environmental Review Compliance: This project is Categorically Exempt.

Financial Impact: Yes No Funding Source/Recap: Funding for this project comes from the FY 2015-2016 Capital Improvements Budget, Project MS-0206

Other considerations: Reject all bids and re-advertise the project.

Material Included for Information/Consideration: Resolution No. 2015-46, summary bid tabulation, engineer's estimate, Monterey Peninsula Engineering's bid withdrawal letter.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

September 21, 2015

Resolution No. 2015-46
Resolution of the Board of Directors
Marina Coast Water District
Authorize a Construction Contract with
Andersen Pacific Engineering Construction Inc. for
the Reservation Road Siphon Remediation Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on September 21, 2015, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, District Operations and Maintenance personnel have identified this area as a failing siphon that is causing operational difficulties with Lift Station #2 and removal of the siphon condition will lower the risk of sewer overflow events; and,

WHEREAS, the District solicited and received bids from qualified contractors for the Reservation Road Siphon Remediation, appurtenances and related equipment, and the second lowest bidder was considered responsive; and,

WHEREAS, staff recommends contracting with Andersen Pacific Engineering Construction Inc. to provide construction services for the Reservation Road Siphon Remediation Project including all alternates in the total amount of \$853,853.00; and,

WHEREAS, an additional ten percent of the total contract amount is added to the budget for the project to cover construction contingency; 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 authorize the General Manager to execute a construction contract including all alternates with Andersen Pacific Engineering Construction Inc. for the Reservation Road Siphon Remediation Project, 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-to-exceed \$939,238.00, which includes an additional ten percent to cover construction contingency.

PASSED AND ADOPTED on September 21, 2015 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. 2015-46 adopted September 21, 2015.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: September 21, 2015

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-47 to Amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for Updating the 2015 MCWD Urban Water Management Plan

Staff Recommendation: The Board of Directors is requested to adopt Resolution No. 2015-47 to authorize an amendment to the Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers to revise and update the 2015 MCWD Urban Water Management Plan.

Background: *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.*

On August 27, 2015, District Staff received proposals from qualified individual(s) or organization for the “2015 Urban Water Management Plan” suitable for:

- Ensuring adequate water supplies available to meet existing and future demands,
- Minimizing the negative effects of potential water shortages, and
- Obtaining and maintaining grant and loan financing.

The Urban Water Management Plan essentially addresses urban water supply/demand topics and strategies to promote the efficient use of water resources. The plan must be prepared every 5 years and submitted to the Department of Water Resources (DWR). The deadline for submission of the 2015 plan is July 1, 2016. Every urban water supplier that either provides over 3,000 acre-feet of water annually, or serves more than 3,000 urban connections is required to assess the reliability of its water sources over a 20-year planning horizon, and report its progress on 20% reduction in per-capita urban water consumption by the year 2020, as required in the Water Conservation Bill of 2009 SBX7-7. This 2015 update needs to address the slowdown and re-emergence in redevelopment within the Ord Community, the impact of sustained water conservation on water demand/allocations and the progress on developing new/augmented water supply sources.

DWR has been updating the Urban Water Management Plan Guidebook for the 2015 round. The release of the 2015 UWMP Guidebook is targeted for mid-October 2015.

Discussion/Analysis: The District contacted 10 firms with a request for proposals and received two proposals for this project. A panel of Engineering Department staff was convened to review the proposals and unanimously selected Schaaf & Wheeler as having submitted the superior proposal. The cost proposals were then opened. Risk Management Professionals quotation was

\$67,701 and Schaaf & Wheeler was \$80,100. Risk Management Professionals budgeted 295 person-hours and Schaaf & Wheeler budgeted 449 person-hours for the work.

The Professional Services Agreement (PSA) for General Engineering Services with Schaaf & Wheeler was approved by the Board on June 19, 2012 (Resolution No. 2012-29). The scope of that Agreement included a broad range of activities that are consistent with those contemplated with this proposed Amendment.

The proposed contract amendment will be performed and invoiced on a time and expense basis, for the not-to-exceed amount of \$75,294. Schaaf & Wheeler provides service to the District under their Professional Services Agreement for General Engineering Services at a six percent (6%) discount off their standard labor charge rate schedule. Schaaf & Wheeler's charge rates are comparable to other engineering firms.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Funding for this project comes from the Engineering Professional Services Budget.

Other considerations: The Board can decide to award the project to Risk Management Professionals, Inc., or reject all proposals and re-advertise.

Material Included for Information/Consideration: Resolution No. 2015-47; and, summary proposal evaluation.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

September 21, 2015

Resolution No. 2015-47
Resolution of the Board of Directors
Marina Coast Water District
Authorizing an Amendment to the Professional Services Agreement
with Schaaf & Wheeler Consulting Civil Engineers for Updating
the 2005 MCWD Urban Water Management Plan

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on September 21, 2015, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, in accordance with the California Urban Water Planning Act, the District seeks to update the existing 2010 Urban Water Management Plan for 2015 and that doing so is consistent with the goals and objectives stated in the District’s 2015/2016 Strategic Plan; and,

WHEREAS, on May 8, 2012, the Board adopted Resolution No. 2012-29 approving a Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers; and,

WHEREAS, the District Board adopted the FY 2015/2016 Budget that includes Engineering Consultant Services and is resourced with a total of \$432,000 split between the Marina Water and the Ord Community Water Cost Centers; and,

WHEREAS, Schaaf & Wheeler staff is exceptionally familiar with the Central Marina and Ord Community’s water system, current Master Plans for the water system, on-going changes to the system and has demonstrated extensive regional knowledge related to the District’s Urban Water Management Plan; and District staff believes that the monetary resource proposed herein is reasonable given the complexities of the work, the savings in time and effort that will be realized, and the six (6%) discount.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to execute an amendment to the existing Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for updating the 2010 MCWD Urban Water Management Plan for 2015 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 \$75,294. The project will be split among the Marina Water and the Ord Community Water Cost Centers and the requested amount is within the budgeted resource.

PASSED AND ADOPTED on September 21, 2015 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. 2015-47 adopted September 21, 2015.

Keith Van Der Maaten, Secretary