



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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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, May 21, 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, May 16, 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 54956.8
Conference with Real Property Negotiator
Property: Imjin Office Park Properties
Negotiating parties: to be determined
Under Negotiation: Price and Terms

7:00 p.m. Reconvene Open Session

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

6. Pledge of Allegiance

7. Oral Communications *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

8. Presentations

- A. Consider Adoption of Resolution No. 2018-28 in Recognition and Appreciation of Jean Premutati, Human Resources/Customer Relations Manager, for 10 Years of Service to Marina Coast Water District
- B. Consider Adoption of Resolution No. 2018-29 Proclaiming the Week May 20-26, 2018 National Public Works Week

9. Consent Calendar

- A. Receive and File the Check Register for the Month of April 2018
- B. Receive the Quarterly Financials for January 1, 2018 to March 31, 2018
- C. Approve the Draft Minutes of the Joint Board/GSA Meeting of April 16, 2018
- D. Approve the Draft Minutes of the Special Board Meeting of April 26, 2018

10. 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 Adoption of Resolution No. 2018-30 to Approve Implementation of the Classification Portion of the Koff & Associate's Compensation and Classification Study

Action: The Board of Directors will consider approving the new classification's proposed in the Koff Classification and Compensation Study.

- B. Consider Adoption of Resolution No. 2018-31 to Approve a Contract Extension with the Pun Group to Provide Audit Services to the District for Fiscal Year 2017-2018

Action: The Board of Directors will consider approving a contract extension with the Pun Group to provide audit services to the District for FY 2017-2018.

- C. Consider Adoption of Resolution No. 2018-32 to Approve Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for Design of the Pipeline Facility Improvements to the Imjin Parkway Widening Project

Action: The Board of Directors will consider approving an amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for design of the pipeline facility improvements to the Imjin Parkway Widening Project.

- D. Consider Adoption of Resolution No. 2018-33 to Reject All Bids for the Inter-Garrison Road Water Distribution Pipeline Project and Rebid a Smaller Project

Action: The Board of Directors will consider rejecting all bids for the Inter-Garrison Road Water Distribution Pipeline Project and rebid a smaller project.

11. Staff Report

- A. Receive an Update on the Progress of the MCWD Water Code Revisions
- B. Receive an Update on the 1st Quarter 2018 MCWD Sewer Flow Report

12. 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

13. Correspondence

14. Board Member Requests for Future Agenda Items

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

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

*Monday, June 18, 2018, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: May 21, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-28 in Recognition and Appreciation of Jean Premutati, Human Resources/Customer Relations Manager, for 10 Years of Service to the Marina Coast Water District

Staff Recommendation: The Board of Directors consider adopting Resolution No. 2018-28 recognizing Jean Premutati, Human Resources/Customer Relations Manager, and awarding a plaque and gift certificate for 10 years of service to the Marina Coast Water District.

Background: *5-Year Strategic Plan, Strategic Element 5.1 - Recruit and retain high performing, engaged personnel.*

Discussion/Analysis: Ms. Premutati joined the District April 21, 2008 as the Management Services Administrator. In May 2016, Jean's title was changed to Human Resources/Customer Relations Manager and she directly supervises the Customer Service Supervisor and the Water Conservation Specialist III. Over the past 10 years, Jean has overseen the remodel of the Beach Office Customer Service department, written the current employee handbook, ensures policies are updated routinely, and planned the District's 50th anniversary party.

In 2010/2011, several managers retired from the District which created opportunities to restructure staffing levels and streamline processes. Jean helped to facilitate these changes and implemented a reorganization of the Accounting, Engineering, Laboratory and Operations and Maintenance departments. During her tenure, Jean has been instrumental in hiring 37% of the District's current staff.

Additionally, Jean has worked with CSUMB to establish an Intern partnership. Students in the Environmental Science and Policy program have filled internships in the Operations and Maintenance, Engineering, Conservation and the Accounting departments. Many have gone on to accept positions working in public agencies.

It is with great pleasure that the District recognizes Jean Premutati for 10 years of service to the District.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Hospitality and Awards account numbers.

Material Included for Information/Consideration: Resolution No. 2018-28.

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

Board Action

Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

May 21, 2018

Resolution No. 2018 - 28
Resolution of the Board of Directors
Marina Coast Water District
Recognizing Ms. Jean Premutati, Management Services Administrator,
for Ten Years of Service to the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 21, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Jean Premutati joined the District April 21, 2008 as the Management Services Administrator; and,

WHEREAS, during the past 10 years, Jean has overseen the remodel of the Beach Office Customer Service department, making it a more welcome working environment and allowing customers to be able to see staff; and,

WHEREAS, Jean has written the current employee handbook and ensures the District is in compliance by making routine updates and changes due to State and Federal laws; and,

WHEREAS, during her tenure, Jean has been instrumental in hiring 37% of the District’s current staff and has helped facilitate a reorganization throughout the District which created career opportunities for staff, established a cross-training program and supported promotions for several employees; and,

WHEREAS, Jean works with CSUMB to maintain a Student Intern program filling internships in various departments of the District. Many have gone on to work in public agencies and helping to preserve the environment; and,

WHEREAS, in June 2016, Jean began overseeing the Customer Service and Water Conservation departments as the HR/Customer Relations Manager.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby recognize Ms. Jean Premutati, HR/Customer Relations Manager for 10 years of service to the Marina Coast Water District and presents her with a plaque and gift certificate.

PASSED AND ADOPTED on May 21, 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. 2018-28 adopted May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: May 21, 2018

Prepared By: Michael Wegley

Presented By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-29 Proclaiming the Week May 20-26, 2018 National Public Works Week

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2018-29 in recognition of National Public Works Week.

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.*

Discussion/Analysis: Public works infrastructure, facilities and services including the water and wastewater collection systems of the Marina Coast Water District are of vital importance to sustainable communities and to the health, safety and well-being of the people of this community. Such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees from State and local units of Government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the water supply, waste water, transportation and solid waste systems, public buildings, and other structures and facilities essential to serve our citizens.

The health, safety and comfort of this community greatly depends on these facilities and services. It is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of, and maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities.

2018 marks the 58th annual National Public Works Week sponsored by the American Public Works Association.

Environmental Review Compliance: None required.

Financial Impact: _____Yes ___X___No Funding Source/Recap: None.

Other Consideration: None.

Material Included for Information/Consideration: Resolution No. 2018-29.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

May 21, 2018

Resolution No. 2018-29
Resolution of the Board of Directors
Marina Coast Water District
Proclaiming the Week May 20-26, 2018
National Public Works Week

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 21, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, public works infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of this community; and,

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers and employees from State and local units of Government and the private sector, who are responsible for and must plan, design, build, operate, and maintain the water supply, waste water, transportation and solid waste systems, public buildings, and other structures and facilities essential to serve our citizens; and,

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the United States of America to gain knowledge of, and maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2018 marks the 58th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby proclaim the week May 20-26, 2018 as National Public Works Week; and urge all our people to join with representatives of the American Public Works Association and government agencies in activities and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they have made to our national health, safety, welfare and quality of life.

PASSED AND ADOPTED on May 21, 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. 2018-29 adopted May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9

Meeting Date: May 21, 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 April 2018
- B) Receive the Quarterly Financials for January 1, 2018 to March 31, 2018
- C) Approve the Draft Minutes of the Joint Board/GSA Meeting of April 16, 2018
- D) Approve the Draft Minutes of the Special Board Meeting of April 26, 2018

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 April 2018; quarterly financials for January 1, 2018 to March 31, 2018; draft minutes of April 16, 2018; and, draft minutes of April 26, 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: 9-A

Meeting Date: May 21, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

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

Staff Recommendation: The Board of Directors receive and file the April 2018 expenditures totaling \$7,593,535.46.

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 April 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: April 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: 9-B

Meeting Date: May 21, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Receive the Quarterly Financial Statements for January 1, 2018 to March 31, 2018

Staff Recommendation: The Board receives the Quarterly Financial Statements for January 1, 2018 to March 31, 2018.

Background: *5-Year Strategic Plan, Strategic Element No. 3.2 – Regular Financial Updates to Policymakers and Managers.*

Discussion/Analysis: All figures reported for the quarter are based on accrual basis accounting. The District’s consolidated financial statement for the quarter includes operating revenues of \$3.932 million and expenses of \$2.567 million, resulting in a net gain from operations of \$1.365 million. The District budget projected net gain from operations of \$0.400 million for the same period.

The difference between the actual net gain from operations for the quarter from the budget gain expectation is \$0.965 million due to the timing of when revenues are earned and expenses are accrued producing different results than those in which the annual budget amounts are divided evenly by quarter.

Summary of Cost Centers:

<u>Description</u>	<u>Actual Qtr</u>	<u>Budget Qtr</u>	<u>Actual FYTD</u>	<u>Budget FYTD</u>
Marina Water				
Revenue	954,038	980,132	2,972,476	2,940,394
Expenses	<u>593,651</u>	<u>731,827</u>	<u>1,870,721</u>	<u>2,195,484</u>
Net Gain/(Loss)	360,387	248,305	1,101,755	744,910
Marina Sewer				
Revenue	329,023	288,209	931,719	864,626
Expenses	<u>158,670</u>	<u>180,115</u>	<u>480,559</u>	<u>540,344</u>
Net Gain/(Loss)	170,353	108,094	451,160	324,282
Ord Community Water				
Revenue	1,970,265	1,573,021	6,107,299	4,719,061
Expenses	<u>1,444,727</u>	<u>1,638,068</u>	<u>4,477,599</u>	<u>4,914,205</u>
Net Gain/(Loss)	525,538	(65,047)	1,629,700	(195,144)

Ord Community Sewer				
Revenue	679,045	622,535	1,944,201	1,867,607
Expenses	<u>366,028</u>	<u>437,414</u>	<u>1,124,982</u>	<u>1,312,241</u>
Net Gain/(Loss)	313,017	185,121	819,219	555,366
Recycled Water Project				
Revenue	-	9	41	26
Expenses	<u>3,680</u>	<u>75,926</u>	<u>130,910</u>	<u>227,778</u>
Net Gain/(Loss)	(3,680)	(75,917)	(130,869)	(227,752)
Regional Project				
Revenue	-	-	-	-
Expenses	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Gain/(Loss)	-	-	-	-
Consolidated Cost Centers				
Revenue	3,932,371	3,463,906	11,955,736	10,391,714
Expenses	<u>2,566,756</u>	<u>3,063,350</u>	<u>8,084,771</u>	<u>9,190,052</u>
Net Gain/(Loss)	1,365,615	400,556	3,870,965	1,201,662

As of March 31, 2018, the District had \$23.124 million in liquid investments. The District also had \$0.853 million of 2010 refunding bond proceeds for debt reserve purposes in the bank.

The District owed \$28.935 million for the 2015 Senior Revenue Refunding Bonds Series A as well as \$3.405 million for the 2010 Subordinate Revenue Refunding Bonds, \$2.761 million to Holman Capital Corporation for the conversion of the Rabobank N.A. construction loan for the BLM building, and \$1.645 million to BVAA Compass Bank Line of Credit for the Regional Urban Water Augmentation Project as of March 31, 2018.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: None

Other Considerations: None

Material Included for Information/Consideration: Quarterly Financial Statements, Investments and Debt Summary Statements.

Action Required: Resolution Motion Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: May 21, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Joint Board/GSA Meeting of April 16, 2018

Staff Recommendation: The Board of Directors approve the draft minutes of the April 16, 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 April 16, 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 April 16, 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: 9-D

Meeting Date: May 21, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of April 26, 2018

Staff Recommendation: The Board of Directors approve the draft minutes of the April 26, 2018 special 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 April 26, 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 April 26, 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: 10-A

Meeting Date: May 21, 2018

Prepared By: Jean Premutati

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-30 to Approve Implementation of the Classification Portion of the Koff & Associate's Compensation and Classification Study

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-30 to approve implementation of the classification portion of the Koff & Associate's Compensation and Classification Study.

Background: 5-Year Strategic Plan, Strategic Element 5.1 Recruit and Retain high performing, engaged personnel. Recruitment and retention of talented and productive employees is essential to be able to accomplish our mission and vision statements. Staff will conduct periodic classification and compensation studies to ensure competitiveness within the local and regional labor markets. The District will reward and recognize staff for their superior job performance and make recommendations that lead to improvements in the workplace.

In November 2017, Koff & Associates (K&A) conducted a total compensation and classification study for the District. At the April 26th special meeting, the Board approved the implementation of the compensation portion of the study. Staff is now requesting the Board approve the classification portion of the study.

As you may recall, the study did not include every position within the District. With regards to some positions, e.g. Operators, Accountants, Customer Service; these normally have the same titles and duties. However, in this case, we did use the Accountant II and Customer Service Representative II as they represent benchmark positions.

In March, the Board approved the reclassification of the Water Conservation Specialist I/II to Water Resources Analyst I/II and established a new classification of Water Resources Manager. In April, the Board approved the new classification of HR/Risk Administrator due to the upcoming retirement of the HR/Customer Relations Manager. These, and several more changes, are included in the attached K&A Classification Study Report.

In summary, staff is requesting the following changes be made as a result of the study:

Job Description and classification/title changes to the following positions:

1. Customer Service Representative Supervisor to Customer Service/Billing Supervisor
2. O&M Superintendent to O&M Manager
3. Utility Laborer to Maintenance Worker

Proposed classification/title changes to the following positions:

1. Accountant II to Accounting Supervisor
2. Application Systems Analyst to Information Technology Administrator
3. Customer Service Representative I/II to Customer Service Billing Technician I/II
4. Capital Projects Manager to Senior Engineer
5. Water Conservation Specialist III to Water Conservation Specialist

New classifications already established by the Board:

1. HR/Risk Administrator
2. Water Resources Manager
3. Water Resources Analyst I/II

Eliminate the following classifications:

1. Application Systems Analyst
2. Capital Projects Manager
3. Project Manager
4. Utility Laborer
5. Water Conservation Specialist I/II

Environmental Review Compliance: None required.

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

Material Included for Information Consideration: Resolution No. 2018-30; Koff & Associates classification study report and allocation list; and, draft job descriptions for the CS/Billing Supervisor, O&M Manager, and Maintenance Worker positions.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

May 21, 2018

Resolution No. 2018-30
Resolution of the Board of Directors
Marina Coast Water District
Approving the Implementation of the Classification Portion of the Koff & Associate's
Compensation and Classification Study

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on May 21, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, in November 2017, Koff & Associates (K&A) conducted a total compensation and classification study for the District; and,

WHEREAS, the Board approved the compensation component of the study on April 26, 2018; and,

WHEREAS, the study results showed three positions with title changes and revised job descriptions, six positions with classification/title changes, and eliminating five positions; and,

WHEREAS, study proposes the following changes:

Job Description and classification/title changes to the following classifications:

1. Customer Service Representative Supervisor to Customer Service/Billing Supervisor
2. O&M Superintendent to O&M Manager
3. Utility Laborer to Maintenance Worker

Proposed classification/title changes to the following positions:

1. Accountant II to Accounting Supervisor
2. Application Systems Analyst to Information Technology Administrator
3. Customer Service Representative I/II to Customer Service Billing Technician I/II
4. Capital Projects Manager to Senior Engineer
5. Water Conservation Specialist III to Water Conservation Specialist

Eliminate the following classifications:

1. Application Systems Analyst
2. Capital Projects Manager
3. Project Manager
4. Utility Laborer
5. Water Conservation Specialist I/II

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2018-30 to approve the implementation of the Koff & Associates classification study.

PASSED AND ADOPTED on May 21, 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. 2018-30 adopted May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-B

Meeting Date: May 21, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-31 to Approve a Contract Extension with the Pun Group to Provide Audit Services to the District for Fiscal Year 2017-2018

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-31 to approve a contract extension with the Pun Group to provide audit services to the District for Fiscal 2017-2018.

Background: *5-Year Strategic Plan, Strategic Element 3.4 – Close and audit financial statements in a timely manner.*

California Government Code Section 26909 requires the County Auditor to either make or contract with a certified public accountant or public accountant to perform an annual audit of the accounts and records of every special district within the county for which an audit by a certified public accountant or public accountant is not otherwise provided, unless an audit by a certified public accountant has been arranged by the District. Historically, the District issues a Request for Proposals for audit services every 3 years.

On June 15, 2015 the Board adopted Resolution No. 2015-28 approving 3-year contract with the Pun Group for a not to exceed amount of \$24,000 per year to provide annual audit services to the District.

Discussion/Analysis: The litigation regarding the Regional Desalination Project (RDP) declaratory relief case will be concluded by fiscal year end (June 30, 2018) and staff is recommending that the District extend the contract with its current independent audit firm, the Pun Group. Having been the audit firm for the District for the past six years, the Pun Group has extensive knowledge and background with regards to the RDP and therefore is best suited to audit fiscal year 2017-2018 for the District. Staff believes that there would be a steep learning curve for a new firm for other firms to come up to speed with the District's settlement of the RDP.

Environmental Review Compliance: None.

Financial Impact: Yes No Funding Source/Recap: Services performed will be funded through FY 2018/2019 Operating Budget of the Central Marina and Ord Community cost centers Marina Water (MW) – 24%; Marina Sewer (MS) – 7%; Ord Water (OW) – 54%; Ord Sewer (OS) – 15%.

Material Included for Information/Consideration: Resolution No. 2018-31.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

May 21, 2018

Resolution No. 2018-31
Resolution of the Board of Directors
Marina Coast Water District
Approving a Contract Extension with the Pun Group
to Provide Audit Services to the District For Fiscal year 2017-2018

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 21, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the California Government Code Section 26909 requires the County Auditor to either make or contract with a certified public accountant or public accountant to perform an annual audit of the accounts and records of every special district within the county for which an audit by a certified public accountant or public accountant is not otherwise provided, unless an audit by a certified public accountant has been arranged by the District; and,

WHEREAS, historically, the District issues a Request for Proposals for audit services every 3 years; and,

WHEREAS, on June 15, 2015 the Board adopted Resolution No. 2015-28 approving 3-year contract with the Pun Group for a not-to-exceed amount of \$24,000 per year to provide annual audit services to the District; and,

WHEREAS, the litigation regarding the Regional Desalination Project (RDP) declaratory relief case will be concluded by fiscal year end (June 30, 2018) and staff is recommending that the District extend the contract with its current independent audit firm, the Pun Group; and,

WHEREAS, having been the audit firm for the District for the past six years, the Pun Group has extensive knowledge and background with regards to the RDP and therefore is best suited to audit fiscal year 2017-2018 for the District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2018-31, approving a contract extension with the Pun Group to provide audit services to the District for Fiscal 2017-2018, and authorizes the General Manager and/or the Director of Administrative Services to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on May 21, 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. 2018-31 adopted May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-C

Meeting Date: May 21, 2018

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-32 to Approve Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for Design of the Pipeline Facility Improvements to the Imjin Parkway Widening Project

Staff Recommendation: Staff recommends that the Board of Directors consider adopting Resolution No. 2018-32:

1. Approving Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. to add the total dollar amount of \$40,685 for a not-to-exceed contract amount of \$79,085 to complete plans specifications and engineers estimate for the Pipeline Facility Improvements to Imjin Parkway Widening Project; 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.*

The City of Marina engaged Kimley-Horn and Associates, Inc. for design of the Imjin Parkway Widening Project from Imjin Road to Reservation Road (Attachment 1). The existing two-lane roadway will be widened into a four-lane facility with a raised median, Class II buffered bicycle lanes, bioretention areas, four new roundabouts at the intersections of Imjin Parkway with Imjin Road, Marina Heights Drive, Abrams Drive, and Preston Drive, intersection modification at Reservation Road, including modifications to the existing signal, and a new Class I pedestrian and bicycle facility will be provided. Landscaping, irrigation, and street lighting is also proposed.

The roadway widening project alignment has existing sewer gravity and force main pipelines that will have to be relocated. Existing water mains crossing the proposed project will have to be protected in place or relocated, too.

The MCWD Capital Improvement Program plans for a new water main and recycled water main in Imjin Parkway from Abrams Drive to Reservation Road. The projects include construction of 3,400 feet of 12” water line and 12” recycled water line. The timing of the capital projects are coincidentally within one year of the Imjin Parkway Widening Project schedule for FY 2019-20. Replacement of the sewer force main is more than 5 years following the roadway project.

Discussion and Analysis: Initial discussions with the City and their project consultant, Kimley-Horn and Associates, Inc., led to a contract for Kimley-Horn to provide topographic surveys for MCWD to design the necessary potable water, recycled water and sewer improvements (Attachment 2). The MCWD plans and specifications would then be added to the City’s project

for bidding and construction. Kimley-Horn would also include the MCWD facilities in their environmental clearance documents for the road widening project.

Kimley-Horn has made significant progress in their designs and intends to complete plans this fall for the project to bid and begin construction in 2019. MCWD will not be able to prepare plans and specifications in time to meet their project milestones. To maintain their schedule, MCWD can prepare the preliminary designs and have Kimley-Horn prepare final design plans, specifications and estimates for bidding. Amendment No. 1 is to have Kimley-Horn complete the final plans and technical specs for bidding and construction.

MCWD staff have reviewed Kimley-Horn's scope and schedule and find the negotiated fees for the time and materials not-to-exceed amount of \$40,685 to be reasonable. The amendment with scope of services and cost proposal breakdown is included as Attachment 3.

Therefore, staff is recommending that the Board adopt Resolution No. 2018-32 to amend the Kimley-Horn and Associates, Inc. Professional Service Agreement.

Environmental Review Compliance: The City of Marina Imjin Parkway Road Widening Initial Study / Environmental Assessment Report is in preparation by Kimley-Horn to include the MCWD facilities.

Financial Impact: Yes No Funding Source/Recap: The project budget includes project design, permits and other project related costs.

Other Considerations: None.

Material Included for Information/Consideration: Resolution Nos. 2018-32; Attachment 1 – Imjin Parkway Widening Project Map; Attachment 2 – Scope of Services and Cost Budget for Kimley-Horn; Attachment 3 – Amendment No. 1 to PSA for Kimley-Horn.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

May 21, 2018

Resolution No. 2018 – 32
Resolution of the Board of Directors
Marina Coast Water District
Approving Amendment No. 1

to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for
Pipeline Facility Improvements to Imjin Parkway Widening Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 21, 2018, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the City of Marina took action to approve a Capital Improvement Program for the Imjin Widening project; and,

WHEREAS, on March 1, 2018, the District entered into a Professional Services Agreement with Kimley-Horn and Associates, Inc. (Kimley-Horn) for the Project Management and Environmental Clearance to incorporate MCWD pipeline plans and specifications into the Imjin Parkway Widening Project; and,

WHEREAS, the District now prefers to prepare preliminary pipeline designs for Kimley-Horn to complete final plans and technical specifications for bidding and construction to maintain the City of Marinas project schedule.

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

BE IT FURTHER RESOLVED, to approve Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc., for engineering services for final design and bidding of the MCWD facilities as part of the Imjin Parkway Widening Project, the total dollar amount not-to-exceed \$40,685; and,

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

PASSED AND ADOPTED on May 21, 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. 2018-32 adopted on May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-D

Meeting Date: May 21, 2018

Prepared By: Andrew Racz
Reviewed By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-33 to Reject All Bids for the Inter-Garrison Road Water Distribution Pipeline Project and Rebid a Smaller Project

Staff Recommendation: The Board of Directors consider adopting Resolution 2018-33 to reject all bids for the Inter-Garrison Road Water Distribution Pipeline Project and rebid a smaller project.

Background: *5-Year 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.*

The “Inter-Garrison Road Water Distribution Pipeline Project” is for the construction of approximately 3,500 linear feet of new 18-inch DIP water main in Inter-Garrison Road, between Schoonover Road and Sherman Boulevard in East Garrison. The new water main will allow the District to meet commercial fire flows in East Garrison prior to building a B-zone reservoir, by expanding the flow capacity currently provided by a single existing 12” diameter pipe. The original scope of the project was to replace 1,700 feet of 12” diameter pipe with 18” diameter pipe to meet East Garrison commercial fire flow requirements. The scope of the project was expanded to a 3,500 feet of 18” pipe for the Fort Ord Reuse Authority FORA widening of Inter-Garrison Road. The work includes all associated fittings, valves, appurtenances, pavement removal and restoration, and connecting existing mains.

Discussion/Analysis: On May 3, 2018, the District received five bids for this project summarized in the attached bid tabulation. The lowest bid received was from Monterey Peninsula Engineering for \$839,000.00. Four other bids received were from Specialty Construction, Inc. at \$886,500; Don Chapin at \$969,812; Mountain Cascade, Inc. at \$1,019,500; and Garney Pacific, Inc. at \$1,078,000.

The capital improvement project budget for the Inter-Garrison Road Water Distribution Pipeline Project is \$599,124. Given the scope of the project compared to what was budgeted, plus the increasing price of American steel resulting from recently-imposed tariffs, and increased construction activity in general this year, it was not unexpected that the estimated project cost would significantly exceed the amount originally budgeted. It was anticipated that a budget transfer would take care of the additional pipeline work associated with the widening of Inter-Garrison Road. However, FORA is now holding off until at least 2022 at the earliest to construct the Inter-Garrison Road Widening at the same time as the Northeast-Southwest Connector (formerly the East Side Parkway).

Based on the bids received, available budget, and changes in priority for FORA transportation projects, staff recommends rejecting all bids. Staff also recommends, rebidding a smaller project for the installation of 1,700 feet of 18” pipe to meet fire flow requirements for East Garrison commercial development in the Ord Community.

Environmental Review Compliance: None required.

Financial Impact: _____Yes No Funding Source/Recap: Funding for this project comes from the Ord Water FY 2018-2019 Capital Improvements Budget.

Other considerations:

Material Included for Information/Consideration: Resolution No. 2018-33, location map, summary bid tabulation and engineers estimate.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

May 21, 2018

Resolution No. 2018-33
Resolution of the Board of Directors
Marina Coast Water District

Rejecting All Bids for the Inter-Garrison Road Water Distribution Pipeline Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 21, 2018, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District is in need of a new water main in Inter-Garrison Road, to improve B-zone water distribution and fire flow for commercial and institutional development in the East Garrison portion of the Ord Community; and,

WHEREAS, the District solicited and received bids from qualified contractors for the construction of the Inter-Garrison Road Water Distribution Pipeline Project, appurtenances and related equipment; and,

WHEREAS, the planned Inter-Garrison Road east of Schoonover Road in unincorporated Monterey County is planned to be widened and improved; and,

WHEREAS, said widening is now planned to occur in coordination with the Northeast-Southwest Connector (formerly the East Side Parkway); and,

WHEREAS, construction of both transportation projects is scheduled to occur no earlier than 2022 at the earliest.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby reject all bids for the Inter-Garrison Road Water Distribution Pipeline Project and rebid a smaller project for the installation of 1,700 feet of 18” pipe to meet fire flow requirements for East Garrison commercial development in the Ord Community.

PASSED AND ADOPTED on May 21, 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. 2018-33 adopted May 21, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Staff Report

Agenda Item: 11-A

Meeting Date: May 21, 2018

Prepared By: Brian True

Approved By: Keith Van Der Maaten

Reviewed By: Michael Wegley

Agenda Title: Progress on MCWD Water Code Update

Background: 5-Year Strategic Plan, Goal 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 is in the process of developing an update to the MCWD Water Code to reflect recent changes to building standards, metering practices, and conservation requirements. Modifications to the Water Code are enacted by Ordinance, a process requiring two readings and public hearings before adoption by the MCWD Board of Directors. This Staff Report provides the MCWD Board an update regarding the progress on the Water Code update effort.

Discussion/Analysis: The current status of this element of the Water Code update effort is that two bills are in legislative committee to revise the State's legislation regarding ADUs, and therefore staff is not able to complete the Ordinance update until this has concluded. The specific modifications are intended to strike language in the current proposed statute that certain jurisdictions (like special districts and private water companies) cannot charge capacity charges on new ADUs. The rationale behind the attempt to change the current State ADU legislation is that there is an argument being made that preventing the collection of capacity charges for new dwelling units coming on-line is equivalent to an unfunded State mandate. Staffs understanding is that, while unfunded mandates are not expressly disallowed, if the State were to create an unfunded mandate and foist the unfunded requirements on local entities, there are State laws that require the State to then compensate the local entities for the costs incurred thereby. Staff continues to monitor the legislative proceedings closely so an appropriate MCWD Water Code update may be taken rapidly after the State has generated a final law on the ADU topic. The following is a detailed update on the progress of the revisions to the Conservation, Submetering, and Auxiliary Dwelling Units portions of the Ordinance.

Conservation

During the October 16, 2017 Board Meeting, the Human Resources/Customer Service Manager introduced an item to update the Conservation portion of the MCWD Water Code, Chapter 3.36, and requested direction. The direction received from the Board at that time was to proceed with the first reading of an Ordinance once additional exploration of impacts on staff-time and clarification with regards to the treatment of "auxiliary dwelling units" (ADUs) was conducted. The changes to the Water Code proposed as part of the conservation concerns largely entailed new water fixture requirements for new construction and renovations, as well as new requirements to be undertaken in the event of a change in ownership of existing structures. The portions of the revised Ordinance related to conservation issues is largely drafted, and input from the Water Conservation Commission as been provided, but it still needs additional staff review to come to a final recommendation.

Submetering

As the Board may recall, it recently granted the Junsay Oaks project with a variance from the MCWD Water Code to allow the installation of submeters for individual dwelling units. This was accomplished within the framework of a License Agreement between the project owners and MCWD to ensure compliance by the project owner of reporting and other mitigation requirements. The Board's direction on this issue has led staff to advise codifying the terms and conditions for allowing submetering for similar projects such that Board-granted variances from the Water Code are not needed to provide appropriate levels of customer service. A further rationale to allow for submetering into the Water Code is that MCWD's community is increasingly making greater use of available parcel space – i.e. increasing the density of land-use and increasing the intensity of water use on any given parcel. Staff is aware of at least two projects that will be proposed in the near-future that will lend themselves to a submetering concept as conceived herein; therefore staff recommends modifying the Water Code to accommodate future conditions as described further. The section of the MCWD Water Code where the submetering element might be added is within Chapter 3.12 – Water Service Connections and Meters.

Only new construction will be allowed to install submeters where authorized. Staff is not aware of any existing structures or projects that would meet the criteria proposed below that would make them eligible for submeter installation on a retroactive basis. The purpose of codifying project criteria that would allow the installation of submeters is to provide the community with clear guidance on what type of project or structure may be eligible for submetering.

The criteria that a project must meet to be eligible to install submeters is proposed to be:

- 1) The project must be multi-family residential or a mix of commercial and multi-family residential that represent at least four occupied-stories.
- 2) The project must contain 100-dwelling-units or greater.
- 3) The project must represent an appropriate land-use appropriate density as described by lot coverage ratio and ratio of residential versus commercial square-footage.
- 4) The project must incorporate elements of common heating, cooling, and/or water heating systems as part of the project's internal service infrastructure.
- 5) The project's proponent must be willing to execute a License Agreement with MCWD that documents their understanding and willingness to meet all the terms and conditions of installing submeters. This License Agreement provides for MCWD's future individual relationship with the tenants of the project/structure in the event of a breach of MCWD's Water Code and/or the executed License Agreement.

The MCWD Water Code is proposed to be modified to include specific standards for the submeter equipment and data gathering. Currently, it is believed that developing and incorporating a new Appendix to the MCWD Water Code with the submetering standard is the best manner in which to accomplish this goal. Topics to be addressed in the standard include providing the State-specified standards for the equipment itself, including inspection, testing and verification of that these items have occurred, within the MCWD Water Code itself. Additionally, the standard will require the on-site operator to submit to MCWD annual reports with evidence of their compliance to the standard. The standard provides methodologies for resolving disputes in meter readings. Further, the standard specifies that MCWD will charge the on-site operator for water service based on the master meter set by MCWD at the property line. Finally, the standard requires the on-site operator to supply MCWD with the occupancy listing of all residential units within 10-days of any change in occupancy.

Research has begun to find examples of other jurisdictions that have submetering standards to sharpen MCWD's terms and conditions, project criteria for allowing submetering, and the submetering standards. What is described herein is the starting point thinking based on limited research; changes to the above will be reflected in the final proposition (i.e. a draft Ordinance) brought to the Board upon completion.

Auxiliary dwelling units

Over the last two-years, the State has proposed legislation regarding Auxiliary Dwelling Units (ADUs) that would impact MCWD's Water Code. The State's legislation is geared to prevent land-use jurisdictions from creating (or using existing) overly-restrictive requirements that make construction of ADUs impossible and/or excessively costly – thereby limiting the ability of the community to increase its stock of affordable housing. Providing access to affordable housing is a topic the State legislature is focusing upon; thus, the effort at legislation targeting ADUs, irrespective of other competing conservation goals.

The topic is important to MCWD because MCWD's Water Code currently requires all dwelling units to be individually metered and each connection for sewer and water service is charged a capacity charge so each dwelling unit being attached to the community's networks end-up paying their fair share of the cost to provide the services in the first place. The State's legislation proposes to do away with a special districts authority to charge capacity charges for installed ADUs which would certainly trigger a need to adjust the MCWD Water Code to accommodate such a proposition if and when the final legislation is adopted. Also, because there is a 1,200-square-foot limitation placed on the definition of an ADU within the proposed legislation, there is some thought that adding a definition consistent with the State's legislation on rooms within hotel/motel facilities might be in order.

Marina Coast Water District
Staff Report

Agenda Item: 11-B

Meeting Date: May 21, 2018

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: 1st Quarter 2018 MCWD Sewer Flow Update

Summary: Staff presented the 1st Quarter 2018 District Water Consumption Report to the Board at its April 16, 2018 regular meeting. The staff report for the quarter district water consumption 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 April staff report. The District has since received the sewer flow data from M1W which is presented below:

- Central Marina sanitary sewer flows for the quarter ended March 31, 2018 was 98.467-million-gallons which yielded an average daily sewer flow of 1.094-million-gallons-per-day (MGD).
- The Ord Community sanitary sewer flows for the quarter ended March 31, 2018 was 80.818-million-gallons which yielded an average daily sewer flow of 0.898-million-gallons-per-day (MGD).

The Ord Community's sanitary sewer flow to the M1W interceptor system is measured by a District flume structure located adjacent to the retired Main Garrison wastewater treatment plant.