



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HOWARD GUSTAFSON
WILLIAM Y. LEE
PETER LE

Agenda

Regular Board Meeting, Board of Directors Marina Coast Water District

211 Hillcrest Avenue, Marina, California

Monday, June 17, 2013, 6:45 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 6:45 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, Marina, California.

Mission: *Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Vision: *The Marina Coast Water District will be the leading public supplier of integrated water and wastewater services in the Monterey Bay Region.*

1. Call to Order

2. Roll Call

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

4. Closed Session

A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9)

1) Ag Land Trust v. Marina Coast Water District, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case No. H038550

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at the District office at 11 Reservation Road, Marina, 72 hours prior to the meeting. Copies will also be available at the Board meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, June 13, 2013 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Board Clerk at: 831-883-5910. The next regular meeting of the Board of Directors is scheduled for July 1, 2013.

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

3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

4) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

- B. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case – MCWD Claims against Monterey County and MCWRA
- C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)
Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
Two Cases
1) Claims of MCWRA and Monterey County against MCWD
2) Claims of California–American Water Company against MCWD
- D. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator (General Manager, District Counsel)
Property: Water Rights
Negotiating Parties: Clark Colony Water Company and MCWD
Under Negotiations: Price and Terms

7:00 p.m. Reconvene Open Session

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

6. Pledge of Allegiance

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

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

- A. Adopt Resolution No. 2013-32 to Approve a Quitclaim Deed of Potable Water Pipe and Easements to California State University at Monterey Bay
- B. Adopt Resolution No. 2013-34 to Extend the Current FY 2012-2013 District Budget
- C. Adopt Resolution No. 2013-35 to Approve a Professional Services Agreement with Mr. Ron Allen to Provide Consultant Services for the Water Conservation Education Program
- D. Adopt Resolution No. 2013-36 to Authorize the Purchase of a Used Industrial Loader for Maintenance and Repair Work
- E. Adopt Resolution No. 2013-37 to Approve a Professional Services Agreement with Monterey Bay Technologies to Provide Information Technology Support Services to the District for FY 2013-2014
- F. Adopt Resolution No. 2013-38 to Approve an Agreement with Springbrook Software for the District's Utility Billing and Financial Software Migration to Version 7
- G. Adopt Resolution No. 2013-39 to Authorize Investment of District Monies and Update Signatures for the Local Agency Investment Fund
- H. Approve the Expenditures for the Month of May 2013
- I. Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013
- J. Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013
- K. Receive the Draft Notes of the Adjourned Regular Board Meeting of June 10, 2013

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 Adoption of Resolution 2013-40 Approving an Updated Infrastructure Agreement Template

Action: The Board of Directors will consider approving an updated Infrastructure Agreement Template.

- B. Consider the Notice of Preparation for the Monterey Regional Water Pollution Control Agency Monterey Peninsula Groundwater Replenishment Project Environmental Impact Report and Provide Direction to Staff

Action: The Board of Directors will discuss the Notice of Preparation of an Environmental Impact Report for the Groundwater Replenishment Project and provide direction to staff.

- C. Provide Direction Regarding the Veterinary Hospital Nomination to the National Register of Historic Places

Action: The Board of Directors will provide direction regarding nominating the Veterinary Hospital to the National Register of Historic Places.

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

- A. General Manager's Report

- Correspondence Received by Board or General Manager
 - WWOC Report (Page 193)
 - 2004 WWOC Evaluation Form
 - 2005 WWOC Evaluation Form
 - 2006 WWOC Evaluation Form

- B. Counsel's Report

- C. Committee and Board Liaison Reports

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

11. Board Member Requests for Future Agenda Items

- A. Board Member Requests

12. Director's Comments

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

*Regular Meeting: Monday, July 1, 2013, 6:45 p.m.,
211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Adopt Resolution No. 2013-32 to Approve a Quitclaim Deed of Potable Water Pipe and Easements to California State University at Monterey Bay
- B) Adopt Resolution No. 2013-34 to Extend the Current FY 2012-2013 District Budget
- C) Adopt Resolution No. 2013-35 to Approve a Professional Services Agreement with Mr. Ron Allen to Provide Consultant Services for the Water Conservation Education Program
- D) Adopt Resolution No. 2013-36 to Authorize the Purchase of a Used Industrial Loader for Maintenance and Repair Work
- E) Adopt Resolution No. 2013-37 to Approve a Professional Services Agreement with Monterey Bay Technologies to Provide Information Technology Support Services to the District for FY 2013-2014
- F) Adopt Resolution No. 2013-38 to Approve an Agreement with Springbrook Software for the District's Utility Billing and Financial Software Migration to Version 7
- G) Adopt Resolution No. 2013-39 to Authorize Investment of District Monies and Update Signatures for the Local Agency Investment Fund
- H) Approve the Expenditures for the Month of May 2013
- I) Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013
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- K) Receive the Draft Notes of the Adjourned Regular Board Meeting of June 10, 2013

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *Mission Statement - Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: See individual transmittals.

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

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

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

Board Action

_____Resolution No_____ Motion By_____ Seconded By_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Reagendized_____ Date_____ No Action Taken_____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: June 17, 2013

Submitted By: Sean Knight
Reviewed By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-32 to Approve a Quitclaim Deed of Potable Water Pipe and Easements to California State University at Monterey Bay

Detailed Description: The Board of Directors is requested to approve a Quitclaim Deed for potable water pipe and easements to California State University at Monterey Bay (CSUMB).

The District received the potable water system infrastructure which services the Former Fort Ord from the United States of America, via FORA, through the Public Benefit Conveyance process. As part of this conveyance the District received both the physical pipe and a 15-foot easement (7.5 feet on either side of the pipe, from center of pipe) over that pipe.

In the summer of 2012, CSUMB began new construction of a student recreational field over an abandoned baseball field. During the review of this project and field investigation, it was determined that the existing pipe for the abandoned baseball field did not meet current District Standards nor did it comply with the District's In-Tract Policy.

District staff reviewed our use and need for that pipe and determined:

1. The District had no current use for that pipe other than the old baseball field which was to receive a new connection at 4th Avenue.
2. Based on the proposed use for the surrounding area by CSUMB, any future connections which would be needed to serve that development or project would be required to have a new connection which meets District standards and policy.
3. It would be in the District's best interest to relieve itself of the responsibility of ownership and maintenance of old infrastructure which has the potential for leaks and/or breaks underneath a new facility.

Based on these determinations District staff has prepared the attached quitclaim, reviewed by legal counsel. District staff requests the Board to approve the quitclaim deed for the pipe and easement over the pipe as described in the attached survey.

Environmental Review Compliance: None.

Prior Committee or Board Action: The Board of Directors reviewed this item on May 20, 2013 and requested that it be brought back for further action.

Board Goals/Objectives: – *Objectives Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: ___X___Yes _____No

Funding Source/Recap: Minor reduction in maintenance costs for the Ord Water cost center.

Material Included for Information/Consideration: Resolution No. 2013-32; Quitclaim Deed; and, Quitclaim Survey.

Staff Recommendation: The Board of Directors is requested to adopt resolution 2013-32, to approve a quitclaim deed of potable water pipe and easements to California State University at Monterey Bay

Action Required: ___X___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_____

June 17, 2013

Resolution No. 2013 - 32
Resolution of the Board of Directors
Marina Coast Water District

Approving a Quitclaim Deed of Potable Water Pipe and Easements to CSUMB

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 17, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District has received from the United States of America via FORA, through the public conveyance process, the potable water infrastructure serving the Former Fort Ord; and,

WHEREAS, the District no longer has use for or need of the portion of that system as described in the attached survey; and,

WHEREAS, it is in the District’s best interest to no longer own, use or maintain the portion of the potable water system described in the attached survey.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager/District Engineer to take all actions and execute all documents as may be necessary or appropriate to quitclaim said potable water pipe and easements to CSUMB.

PASSED AND ADOPTED on June 17, 2013 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-32 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: June 17, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-34 to Extend the Current FY 2012-2013 District Budget

Detailed Description: The Board is requested to adopt Resolution No. 2013-34 to extend the District's current FY 2012-2013 budget.

Each year, the District follows a budget development process that results in Board approval of the annual budget by June 30. However, due to the late approval of the FY 2012-2013 Ord Community budget, a delay has occurred in obtaining the rate study necessary to complete the FY 2013-2014 budget process. This year, the annual budget is proposed to be adopted in September 2013 to allow for time to complete a Prop 218 process for any rate changes recommended in the rate study and approved by the Board.

The anticipated Prop 218 hearing will not allow the MCWD Board to adopt changes in rates, fees and charges for FY 2013-2014 until after the Proposition 218 public hearing. Should the Board approve extending the current FY 2012-2013 budget, the budget will remain in place until such time as the MCWD and FORA Board acts to adopt the FY 2013-2014 budget.

Prior Committee or Board Action: The Board reviewed the Draft FY 2013-2014 Budget and Budget Schedule on May 20, 2013 and on June 3, 2013 during a Budget workshop.

Board Goals and Objectives: *Strategic Plan – Goal No. 4 – To manage the District's finances in the most effective manner.*

Financial Impact: _____ Yes ___X___ No

Funding Source/Recap: All Accounts

Material Included for Information/Consideration: Resolution No. 2013-34.

Staff Recommendation: The Board adopts Resolution No. 2013-34 to extend the current FY 2012-2013 District Budget until subsequent action is taken by MCWD Board.

Action Required: ___X___ 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 _____

June 17, 2013

Resolution No. 2013-34
Resolution of the Board of Directors
Marina Coast Water District
Extending the Current FY 2012-2013 District Budget

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 17, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, each year, the District follows a budget development process that results in Board approval of the annual budget by June 30. This year, the annual budget is proposed to be adopted sometime in September 2013; and,

WHEREAS, in July 2013, the MCWD Board is expected to approve a Proposition 218 rate change notification process and schedule two public hearing meetings based on the 2013 Rate Study; and,

WHEREAS, the anticipated Proposition 218 public hearings will not allow the MCWD Board to adopt the budget for FY 2013-2014 until after the hearings; and,

WHEREAS, should the Board approve extending the current FY 2012-2013 budget, the budget will remain in place until such time as the MCWD and FORA Board acts to adopt the FY 2013-2014 budget.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Directors of the Marina Coast Water District does hereby approve to extend the current FY 2012-2013 District Budget.
2. The budget extension authorized by this Resolution shall be in effect until subsequent action is taken by the MCWD Board.

PASSED AND ADOPTED on June 17, 2013, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-34 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: June 17, 2013

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-35 to Approve a Professional Services Agreement with Mr. Ron Allen to Provide Consultant Services for the Water Conservation Education Program

Detailed Description: The Board of Directors is requested to approve a Professional Services Agreement with Mr. Ron Allen for services in support of the Water Conservation Education Program for a not-to-exceed amount of \$10,000.

The Water Conservation Education Program provides water use efficiency education to all the kindergarten through fifth grade students within the District's service area. The Program uses a variety of strategies to introduce and improve the water use efficiency practices of students, teachers, and indirectly, their family members and acquaintances. The Program includes classroom instruction, school assemblies, and the distribution of classroom instruction materials to teachers.

The Program is in its' twelfth year and has proven to be a great success. Students, teachers, principals and administrators comment that the classes and presentations provided are very helpful towards providing the students with an understanding of environmental science and water use efficiency.

Maintaining our strong relationship with the Monterey Peninsula Unified School District (MPUSD) is essential to the continued success of the Program. Having thirty years of service as an educator in the MPUSD, including two tours as the principal of Olson Elementary School in Marina, Mr. Allen uses his strong knowledge of the school district policies and procedures to smoothly coordinate the integration of the Water Science Teacher's class instruction into the ongoing activities of the MPUSD.

The contracted services are performed by the consultant, as needed, throughout the year. Planning for each school year starts in July of the previous school year. The services provided include introducing the Program to the school administrators and principles, drafting and presenting the memorandum of understanding to the school district, producing and adjusting timelines for instruction, soliciting feedback about the class instruction, coordinating and tracking payroll for the Water Science Teacher, and maintaining support for the Program.

The most important element of the Program is the classroom instruction. Over 1,300 students attend 65 classroom lessons each year. A Program schedule is developed for each of the 5 elementary schools locations where instruction is provided. Teacher guides and supplemental water education materials are provided to each teacher to assist them in continuing the water conservation education, as desired, after the initial classroom instruction.

A second important element of the Program; coordinated by the consultant, are the school assemblies. At each school, a guest performer is invited to conduct a presentation promoting water conservation practices. The assemblies are very popular with the principals, teachers, and students. The assemblies have been so well received that staff is supporting the Water Awareness Committee of Monterey County, Inc. in expanding such performances to schools through-out Monterey County.

Compensation for the requested services outlined in the attached Scope of Services (Appendix A) shall be paid at an hourly rate of \$60.00 per hour, not to exceed \$10,000. The completion date of the proposed Professional Services Agreement will be June 30, 2014. The District's Draft 2013-2014 budget includes \$10,000 to support this expenditure.

Prior Committee or Board Action: The Board and Water Conservation Committee have approved/recommended similar contracts with Mr. Ron Allen over the past 12 years. Most recently, the Water Conservation Commission recommended approval of this agreement at their June 6, 2013 meeting.

Board Goals/Objectives: Strategic Plan, Goal No. 1 - *To manage and sustain the District's groundwater and desalinated water, recycled water and wastewater services, conservation activities, infrastructure and human resources at or above industry standards.*

Financial Impact: Yes No

Funding Source/Recap: The amount of \$10,000, to support Water Conservation Education Program consultation services is proposed in the Draft FY 2013-2014 Budget: Marina Water – 60%, Ord Water – 40%.

Material Included for Information/Consideration: Resolution No. 2013-35, Detailed Scope of Services; and In-School Water Education Program Presentation.

Staff Recommendation: The Board of Directors adopt Resolution No. 2013-35 to approve a Professional Services Agreement with Mr. Ron Allen to provide consultant services for the Water Conservation Education Program.

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 _____

June 17, 2013

Resolution No. 2013-35
Resolution of the Board of Directors
Marina Coast Water District
Approving a Professional Services Agreement with Mr. Ron Allen
to Provide Consultant Services for the Water Conservation Education Program

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 17, 2013 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Mr. Ron Allen has agreed to perform the proposed scope of work to continue providing consulting services for the District’s Water Conservation Education Program; and,

WHEREAS, Mr. Allen shall provide personal and professional insurance required by the District; and,

WHEREAS, the District Draft 2013-2014 Budget contains \$10,000 to support these services.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve a Professional Services Agreement with Mr. Ron Allen for consulting services to continue the Water Conservation Education Program; and authorizes the General Manager and/or the Deputy General Manger to sign contract documents and take all necessary actions and execute all documents necessary or appropriate to give effect to this resolution, and the total cost for this effort which shall not exceed \$10,000.

PASSED AND ADOPTED on June 17, 2013 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-35 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Appendix A

SCOPE OF SERVICES

Consultant Services for the Water Conservation Education Program

The Consultant will conduct these tasks and submit the listed deliverables that are associated with the Water Conservation Education Program (Program) of the Marina Coast Water District (MCWD). These tasks, categorized as Public Outreach and School Education, shall advance the District's efforts to carry out Best Management Practices as defined in the District's memorandum of understanding with the California Urban Water Conservation Council. This work shall include the following tasks:

Task A: Coordinate the Integration of the Program into MPUSD and the Individual School Curriculum

Subtasks:

1. Coordinate the Program with the Monterey Peninsula Unified School District (MPUSD) Administrators and be responsible to work with the District Administrators concerning the Program as is necessary. This will include reviewing, with all parties involved, the MOU between the MCWD and the MPUSD every year to make sure it is current and appropriate for implementation the following school year. Deliver a draft, or MPUSD approved MOU to the District staff for their acceptance and approval.
2. Work with the office staff at each school to evaluate student enrollment by grade level for that year. Based on this, determine the maximum time allocation of the Water Science Teacher for each site, to stay within the given budget for the year. Produce and deliver a determination of time allocation, by school, to MCWD staff.
3. Work with the office staff and Principals at each school to ensure that the correct procedures are in place for tracking the work hours of the Water Science Teacher. This is to ensure the teacher's hours are within the amount budgeted for each site, for each of the three rotations throughout the year, and that all reports are submitted promptly.
4. Work to ensure that all financial transactions between the MPUSD and the MCWD are implemented in a timely manner, as established in the MOU.
5. Be a resource for school Teachers and Administrators regarding the implementation of the Water Conservation Education Program.
6. As needed, work with MCWD staff and the Water Science Teacher to acquire the necessary water conservation classroom materials needed for the execution of the program. Develop and submit to District staff a list of the suggested procedures and materials requested from each school site in preparation for the Water Science Teachers visit.

7. As assigned, address additional, unexpected items or issues which arise to make sure the Program runs smoothly and progresses towards the Districts goals.

Task B: Review and Develop the Program Curriculum and Instruction

Subtasks:

1. Facilitate the development and implementation of the curriculum to ensure it is meeting the goals of the MCWD and that it is in compliance with the instructional objectives of the MPUSD educational curriculum.
2. As needed, meet with MCWD staff to develop and define the elements of the Water Education Program. The primary contact at MCWD will be the Water Conservation Specialist, Paul Lord.
3. Observe, evaluate, and assist in the development of classroom activities conducted by the Water Science Teacher at least once each school year.
4. As needed, coordinate and schedule water awareness assemblies at the elementary schools; conducted by outside vendors, to promote water awareness and conservation. Once finalized, and in advance, produce and deliver the schedule of school assemblies to the MCWD staff.
5. Via brief, written documents, communicate current program activities and progress to the Water Conservation Specialist each school trimester.
6. Work with the school Administrators, school Teachers, and the Water Science Teacher to evaluate the program's effectiveness. Produce a listing of suggested recommendations, and deliver this list to the MCWD staff, to make possible, improvements to the program the following year.
7. Provide assistance to MCWD staff that will enable staff to carry out the program objectives on a year-to-year basis.

Task C: Promote the Water Conservation Education Program

Subtasks:

1. Meet with school district Board Members, Administrators, and staff at each school to promote the program and provide program orientation and coordination regarding the implementation of the Water Conservation Education classes. This is particularly important at the beginning of each school year, and as new staff and administrators are assigned to the elementary schools within the MCWD service area. Provide notification of these meetings to the MCWD staff.

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: June 17, 2013

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-36 to Authorize the Purchase of a Used Industrial Loader for Maintenance and Repair Work

Detailed Description: The Board of Directors is requested to approve the purchase of a used 2007 Caterpillar 414E Industrial Loader, in the amount of \$48,825 from the Quinn Company in Salinas. (See image on following page)

The District Operations and Maintenance Department is in need of an industrial loader for performing a variety of tasks. The operations and maintenance of the District's potable water and wastewater collection systems often require staff to load materials at the yard while the District owned backhoe is at the jobsite. Since the District currently does not have the ability to load materials without the backhoe onsite, staff currently has to drive the backhoe from the jobsite back to the yard to load materials and then back to the jobsite. This is an inefficient use of staff time, fuel, and adds to the wear and tear on the District backhoe.

In addition, this equipment is needed for maintenance and repair to District utility access roads. In order to comply with the requirements of the District's CADPH water supply permit No. 2710017 and the State Water Resources Control Board Order No. 2006-0003, the District must maintain accurate up-to-date maps of our facilities and maintain access to all of our facilities for routine preventative maintenance, inspection and emergency repairs.

Staff has solicited bids for used Caterpillar, John Deer and Case industrial loaders. The only manufacturer that currently has used Loaders for sale is the Quinn Company in Salinas. The equipment, is a 2007 Model 414E with 938 hours of operation. The quoted price includes delivery to the Ord office and applicable sales tax in the amount of \$48,825. Staff has visited the yard where this equipment is located and inspected, tested and operated the equipment.

Staff supports purchasing used equipment for this purpose since the price is half of what a new loader would cost. Staff prefers a Caterpillar brand front loader since the District's backhoe is also a Caterpillar and has been relatively trouble free. District staff attempts to streamline brands when possible for ease in maintenance and working with established repair and parts centers.

Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To manage and sustain the District's groundwater and desalinated water, recycled water and wastewater services, conservation activities, infrastructure and human resources at or above industry standards.*

Financial Impact: X Yes No

June 17, 2013

Resolution No. 2013 - 36
Resolution of the Board of Directors
Marina Coast Water District
Approving the Purchase of a Used 2007 Caterpillar 414E Industrial Loader
for a Not-to-Exceed Amount of \$48,825

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 17, 2013 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, District operation and maintenance of the water and wastewater collection system often requires use of a District owned backhoe for routine maintenance and emergency repairs; and,

WHEREAS, District staff currently drives back and forth from the jobsite to the yard for loading materials for repairs, which is not an efficient use of staff time, fuel, and adds to the wear and tear of the District backhoe; and,

WHEREAS, District staff does not have equipment for maintaining unpaved utility access roads and, as a result the District currently does not have a utility access road maintenance program in place; and,

WHEREAS, staff has determined that ownership of a used industrial front loader is an important part of the operations and maintenance of the District’s water and wastewater systems; and,

WHEREAS, staff has evaluated and ranked requested bids for used industrial loaders based on the performance, reputation, price, availability, and technical and repair support resources; and,

WHEREAS, staff recommends the District purchase a used industrial front loader from Quinn Company in the amount of \$48,825.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby Authorize the General Manager and/or Deputy General Manger to purchase a used Caterpillar Model 414E industrial front loader from Quinn Company; and, to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, for a total dollar amount of \$48,825.

PASSED AND ADOPTED on June 17, 2013 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-36 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: June 17, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-37 to Approve Professional Services Agreement with Monterey Bay Technologies to Provide Information Technology Support Services to the District for FY 2013-2014

Detailed Description: Staff is requesting the Board consider adoption of Resolution No. 2013-37 to approve a professional services agreement (PSA) with Monterey Bay Technologies (MBT) to provide Information Technology (IT) support services to the District for FY 2013-2014. On June 12, 2012, the Board approved renewal of the District's contract with MBT to provide IT support through June 30, 2013.

Since becoming the District's IT support services provider, MBT completed annual assessments of the District's technology, assisted staff in updating the District's annual IT Plan, installed a new server which consolidated two of the District's outdated servers and replaced the District's application server. In addition, MBT has been very responsive to the District's IT issues and needs. Staff therefore recommends continuance with MBT to provide IT support services to the District.

The monthly retainer for FY 2013-2014 will be \$3,600.00 per month based on 45 hours per month at \$80.00 per hour which is the existing rate under the current contract. Additional monthly hours will be billed at \$95.00 per hour.

Environmental Review Compliance: None.

Prior Committee or Board Action: On December 13, 2011, the Board adopted Resolution No. 2011-89 awarding a contract to MBT to provide IT services to the District; on June 17, 2012, the Board received an update on the District's IT service provider and adopted Resolution No. 2012-35 awarding a contract to MBT to provide IT support services to the District for FY 2012-2013.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: Yes No

Funding Source/Recap: Funded through FY 2013/2014 Operating Budget of the Central Marina and Ord Community cost centers: Marina Water – 31%, Marina Sewer – 7%, Ord Water – 51%, Ord Sewer – 11%.

Material Included for Information/Consideration: Resolution No. 2013-37; and, Professional Services Agreement with MBT.

Staff Recommendation: The Board of Directors adopt Resolution No. 2013-37 to approve a Professional Services Agreement with MBT to provide IT support services to the District.

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

Resolution No _____	Motion By _____	Board Action	Seconded By _____
Ayes _____		Abstained _____	
Noes _____		Absent _____	
Reagendized _____	Date _____	No Action Taken _____	

June 17, 2013

Resolution No. 2013 - 37
Resolution of the Board of Directors
Marina Coast Water District

Approving a Professional Services Agreement with Monterey Bay Technologies to Provide
Information Technology Support Services to the District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 17, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, on June 12, 2012, the Board awarded Monterey Bay Technologies (MBT) a contract with the District to provide Information Technology (IT) support through June 30, 2013; and,

WHEREAS, as the District’s IT service provider, MBT has completed annual assessments of the District’s technology, assisted staff in updating the District’s IT Plans, installed a new server which consolidated two of the District’s outdated servers and replaced the District’s application serve; and,

WHEREAS, MBT has been very responsive to the District’s IT issues and needs.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2013-37, to approve a professional services agreement with Monterey Bay Technologies to provide information technology support services to the District for FY 2013-2014.

PASSED AND ADOPTED on June 17, 2013, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-37 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-F

Meeting Date: June 17, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-38 to Approve an Agreement with Springbrook Software for the District's Utility Billing and Financial Software Migration to Version 7

Detailed Description: Staff is requesting the Board consider adoption of Resolution No. 2013-38 to approve an agreement with Springbrook Software for the migration of the District's utility billing and financial software to Version 7 in the amount of \$37,800.

The District's current utility billing and financial software is over ten years old and in need of upgrade in order for the District to maintain and improve the integrated system for billing/financial needs, the meter reading system, the back-flow system, and the automated work order process system to track customer requests. These systems are critical for District operations and the information they produce is relied upon heavily for key analysis.

The District's Technology Plan Appendix for FY 2012-2013 included the software migration however, due to the late approval of the FY 2012-2013 Ord Community portion of the District's Budget, the migration was not completed. On May 20, 2013, the Board approved the District's Technology Plan Appendix for FY 2013-2014 which again includes the software migration.

In order for the District to secure a spot on Springbrook Software's migration schedule for FY 2013-2014, the District needs to sign an agreement with Springbrook for the migration as well as pay a deposit of \$1,290.00. Staff therefore requests the Board approve the contract to ensure the migration takes place in FY 2013-2014.

Environmental Review Compliance: None.

Prior Committee or Board Action: On March 13, 2012, the Board adopted Resolution No. 2012-16 to approve the FY 2012-2013 Technology Plan Appendix; on June 12, 2012, the Board adopted Resolution No. 2012-37 to approve the FY 2012-2013 Central Marina portion of the Budget and on February 12, 2013 the Board adopted Resolution No. 2013-12 to approve the FY 2012-2013 Ord Community portion, both of the which included funding for the migration; on May 20, 2013, the Board adopted Resolution No. 2013-33 to approve the FY 2013-2014 Technology Plan Appendix.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: Yes No

Funding Source/Recap: Funded through FY 2013/2014 Operating and Capitalized Equipment Budgets of the Central Marina and Ord Community cost centers: Marian Water – 31%, Marina Sewer – 7%, Ord Water – 51%, Ord Sewer 11%.

Material Included for Information/Consideration: Resolution No. 2013-38; Springbrook Software Migration 7 Proposal; Springbrook Software Migration Agreement; Springbrook Software Migration Order Form.

Staff Recommendation: The Board of Directors adopt Resolution No. 2013-38 to approve an agreement with Springbrook Software for the migration of the District’s utility billing and financial software to Version 7.

Action Required: X 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 _____

June 17, 2013

Resolution No. 2013 - 38
Resolution of the Board of Directors
Marina Coast Water District
Approve an Agreement With Springbrook Software for the Migration of the District's
Utility Billing and Financial Software to Version 7

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on June 17, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District's current utility billing and financial software is over ten years old and in need of upgrade in order for the District to maintain and improve the integrated system which produces information that is relied upon heavily for key analysis; and,

WHEREAS, the Board adopted Resolution Nos. 2012-16 and 2013-33 to approve the District's FY 2012-2013 and 2013-2014 Technology Plan Appendices respectively which include the software migration; and,

WHEREAS, the migration is currently budgeted in the District's FY 2012-2013 adopted budget; and,

WHEREAS, in order for the District to secure a spot on Springbrook Software's migration schedule for FY 2013-2014, the District needs to sign an agreement with Springbrook for the migration as well as pay a deposit of \$1,290.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or the Director of Administrative Services to execute an agreement with Springbrook Software in the amount of \$37,800 for migration of the District's current utility billing and financial software to Version 7.

PASSED AND ADOPTED on June 17, 2013, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-38 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-G

Meeting Date: June 17, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2013-39 to Authorize Investment of District Monies and Update Signatures for the Local Agency Investment Fund

Detailed Description: The Board is requested to approve the Deputy General Manager/District Engineer and the Director of Administrative Services as authorized signatories for the transfer of funds to and from the Local Agency Investment Fund (LAIF).

On June 22, 2010 the District adopted Resolution No. 2010-33 authorizing the deposit and/or withdrawal of Marina Coast Water District monies in the California Local Agency Investment Fund (LAIF) and approved the General Manager and Deputy General Manager/District Engineer as authorized signers. Because the LAIF requires that the signers be authorized by name and through Board resolution, it is necessary for the District to update its signers in order to perform transactions within the LAIF.

Staff recommends the Deputy General Manager/District Engineer and the Director of Administrative Services be designated as the current LAIF signatories. Either one of the signatures will be required to deposit and/or withdraw monies from the LAIF for the District.

Prior Committee or Board Action: Resolution No. 85-12 adopted by the Board on October 17, 1985; Resolution No. 2004-12 adopted by the Board on January 28, 2005; Resolution No. 2005-54 adopted by the Board on July 27, 2005; Resolution No. 2006-42 adopted by the Board on June 14, 2006; Resolution No. 2007-51 adopted by the Board on July 25, 2007; Resolution No. 2007-71 adopted by the Board on September 26, 2007; and Resolution No. 2010-33 adopted by the Board on June 22, 2010.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 - To manage the District's finances in the most effective and fiscally responsible manner.*

Financial Impact: Yes No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2013-39; and, LAIF Authorization of Transfer of Funds Form.

Staff Recommendation: Adopt Resolution No. 2013-39 to Authorize Investment of Monies and Update Signatures for the Local Agency Investment Fund (LAIF).

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

June 17, 2013

Resolution No. 2013-39
Resolution of the Board of Directors
Marina Coast Water District
Authorizing Investment of Monies
And Update Signatures for the Local Agency Investment Fund

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on June 17, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and,

WHEREAS, the Board of Directors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the California Government Code for the purpose of investment as stated therein is in the best interests of the District.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby authorize the deposit and withdrawal of District monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the California Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following District officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

Brian C. Lee, Deputy General Manager/District Engineer

(Name, Title)

(Signature)

Kelly M. Cadiente, Director of Administrative Services

(Name, Title)

(Signature)

PASSED AND ADOPTED on June 17, 2013, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____
Noes: Directors _____
Absent: Directors _____
Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-39 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-H

Meeting Date: June 17, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Agenda Title: Approve the Expenditures for the Month of May 2013

Detailed Description: The Board of Directors is requested to approve the attached May 2013 check register for expenditures totaling \$1,043,352.13.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact: ___Yes ___X___No

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

Material Included for Information/Consideration: May 2013 Summary Check Register.

Staff Recommendation: The Board of Directors approve the May 2013 expenditures totaling \$1,043,352.13.

Action Required: ___Resolution ___X___Motion ___Review
(Roll call vote is required.)

Board Action

___Resolution No___ Motion By___ Seconded By___

Ayes___ Abstained___

Noes___ Absent___

Reagendized___ Date___ No Action Taken___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-I

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of May 20, 2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District’s expanding communities through management, conservation and development of future resources at reasonable costs.*

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

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of May 20, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the May 20, 2013 regular Board meeting.

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

Board Action

___ Resolution No ___ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-J

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of June 3, 2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District’s expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: _____Yes ___X___No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of June 3, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 3, 2013 regular Board meeting/budget workshop.

Action Required: _____Resolution ___X___Motion _____Review

Board Action

_____Resolution No_____ Motion By_____ Seconded By_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Reagendized_____ Date_____ No Action Taken_____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-K

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive the Draft Notes of the Adjourned Regular Board Meeting of June 10, 2013

Detailed Description: The Board of Directors is requested to receive the attached draft notes of June 10, 2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District’s expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: ___Yes ___X___No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft notes of June 10, 2013.

Staff Recommendation: The Board of Directors receive the draft notes of the June 10, 2013 adjourned regular Board meeting.

Action Required: ___Resolution ___Motion ___Review

Board Action

___Resolution No___ Motion By___ Seconded By___

Ayes___ Abstained___

Noes___ Absent___

Reagendized___ Date___ No Action Taken___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: June 17, 2013

Submitted By: Peter Spiro, Brian True

Presented By: Brian C. Lee

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-40 Approving an Updated Infrastructure Agreement Template

Detailed Description: The Board of Directors is requested to approve an updated template for the “Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement” (Infrastructure Agreement, Agreement). The Infrastructure Agreement is used for developers or other entities who will construct water, sewer and recycled water infrastructure and then transfer that infrastructure to the District to own, operate and maintain. Infrastructure Agreements describe and define the requirements for how the infrastructure will be built and how the ownership of that infrastructure will be transferred to MCWD. The current Infrastructure Agreement template is published in MCWD’s Engineering Procedures, Guidelines and Design Requirements.

The Infrastructure Agreement template needs to be updated. The current Infrastructure Agreement template was first implemented on December 14, 2005 (Resolution Nos. 2005-70 and 2005-71 for the Marina Heights and University Village developments). Each successive Infrastructure Agreement has obtained Board approval with many modifications because the “working copy” of the template has required clarification and improvements. Staff has to spend extensive time updating the template to capture changes made and approved by the Board from each successive Agreement. District Counsel recommends an update to the Agreement to better clarify the rights and obligations of each party in addition to providing greater protection to the District. There are several developments and projects that will require Infrastructure Agreements soon. Approving a revised Infrastructure Agreement template is timely.

Staff has updated the template to capture the changes approved by the Board in the various past-executed Agreements. Staff obtained guidance from District Counsel and input from ACWA Joint Powers Insurance Authority in the preparation of this revised template. On May 6, 2013, the MCWD Board of Directors reviewed a draft Infrastructure Agreement template. The Board provided staff with comments on the draft. Staff has reviewed those comments and made appropriate revisions within the template (see attached Infrastructure Agreement with highlighted changes). Some comments were not reflected in the attached revised template because they were either not applicable or did not comply with State law and standard industry practice. Responses to all comments are attached to this Agenda Transmittal.

Staff recommends approving this updated Infrastructure Agreement template.

Environmental Review Compliance: None required for this action.

Prior Committee or Board Action: The Board approved the use of the current Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement template by adopting Resolution Nos. 2005-70 and 2005-71 on December 14, 2005. The Board considered the draft Infrastructure Agreement and provided comments to staff on May 6, 2013.

Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: _____ Yes ___X___ No

Funding Source/Recap: Not applicable.

Material Included for Information/Consideration: Resolution No. 2013-40; Draft revised Infrastructure Agreement template; and, Response to Comments document.

Staff Recommendation: The Board of Directors adopt Resolution 2013-40 approving the updated Infrastructure Agreement template.

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

June 17, 2013

Resolution No. 2013 - 40
Resolution of the Board of Directors
Marina Coast Water District
Approving an Updated Infrastructure Agreement Template

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 17, 2013 at the Marina City Council Chambers, 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the Board adopted the Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement form currently in use on December 14, 2005, and since that time the form of Agreement has been clarified and improved through steady use by the adoption of project specific Agreements ; and,

WHEREAS, the current, original Infrastructure Agreement template is published in MCWD’s Engineering Procedures, Guidelines and Design Requirements; and,

WHEREAS, future projects will require Infrastructure Agreements; and,

WHEREAS, District Counsel, ACWA Joint Powers Insurance Authority, and staff have worked together to provide the Board with the attached draft Infrastructure Agreement template and recommend it’s adoption.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the revised Infrastructure Agreement template (attached) and directs staff to publish the same in MCWD’s Engineering Procedures, Guidelines and Design Requirements.

PASSED AND ADOPTED on June 17, 2013 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Brian C. Lee, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2013-40 adopted June 17, 2013.

Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider the Notice of Preparation for the Monterey Regional Water Pollution Control Agency (MRWPCA) Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report and Provide Direction to Staff

Detailed Description: The District has received the attached Notice of Preparation regarding the Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report (EIR). The Notice indicates a 30-day public scoping period ending at 5pm on July 2, 2013. Additionally, a public scoping meeting is scheduled for June 18, 2013, starting at 6pm.

Staff is seeking direction from the Board regarding District participation in the scoping of the subject EIR.

Environmental Review Compliance: None.

Prior Committee or Board Action: None.

Board Goals/Objectives: – *Objectives Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: _____Yes X No

Funding Source/Recap: None.

Material Included for Information/Consideration: Notice of Preparation regarding the Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report.

Staff Recommendation: The Board of Directors is requested to provide direction to staff regarding District participation in the scoping of the subject EIR.

Action Required: _____Resolution X Motion _____Review

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: June 17, 2013

Submitted By: Brian Lee

Presented By: Brian Lee

Agenda Title: Provide Direction Regarding the Veterinary Hospital Nomination to the National Register of Historic Places

Detailed Description: The Board of Directors is requested to provide direction to staff regarding the Veterinary Hospital nomination to the Register of Historic places.

The Office of Historic Preservation (OHP) has received a nomination package to consider the Fort Ord Veterinary Hospital for the National Register of Historic Places. The National Register is the official list of the Nation's cultural resources worthy of recognition and preservation. The property will be reviewed in accordance with the eligibility criteria for the National Register program.

As the property owner of record, the District has the opportunity to oppose the nomination if so desired by sending a notarized letter of objection.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

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

Funding Source/Recap: None.

Material Included for Information/Consideration: Copy of correspondence from the Office of Historic Preservation.

Staff Recommendation: The Board of Directors provide direction regarding the Veterinary Hospital nomination to the Register of Historic places.

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

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____