MARINA COAST WATER DISTRICT

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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, September 16, 2013, **6:30 p.m.** PST
(Please note the earlier start time)

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, September 12, 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 October 7, 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)

B. 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. Set Public Hearing for Capacity Charges for Central Marina and the Ord Community and Authorize Publication of the Public Hearing Notices

B. Approve the Expenditures for the Month of August 2013

C. Approve the Draft Minutes of the Adjourned Regular Board Meeting of August 26, 2013

D. Approve the Draft Minutes of the Regular Board Meeting of September 3, 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. Kick-Off Meeting between the Board of Directors and the District's Independent Audit Firm, Pun & McGeady, LLP on the FY 2012-2013 Annual Audit

Action: The Board of Directors will hold a kick-off meeting with the District's auditor, Pun & McGeady.

B. Consider Adoption of Resolution No. 2013-54 to Approve a Planning Agreement to Amend and Extend an Agreement for Exercise of Exclusive Right to Negotiate for Purchase of Pre-1914 Water Right with Clark Colony Water Company

Action: The Board of Directors will consider approving a Planning Agreement to amend and extend an Agreement with Clark Colony Water Company.

C. Consider Adoption of Resolution No. 2013-56 to Authorize the General Manger to Take All Action Necessary to Formally Apply to the Monterey County Water Resources Agency for Surface Water from the Salinas River

Action: The Board of Directors will consider requesting additional Salinas River water supply from the Monterey County Water Resources Agency.

D. Consider First Reading of Ordinance No. 56 to Adopt New District Rates, Fees and Charges for Marina Water and Wastewater for the Central Marina Service Area

Action: The Board of Directors will consider a First Reading of Ordinance No. 56 approving new District rates, fees and charges for Marina Water and Wastewater for the Central Marina service area.

E. Consider Adoption of Resolution No. 2013-57 to Amend Section 16 of the Board Policy Manual and Add a New Section 44 to the Board Procedures Manual

Action: The Board of Directors will discuss and consider amending Section 16 of the Board Procedures Manual and adding a new Section 44.

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

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
5. MRWPCA Board Member Liaison
6. LAFCO Liaison
7. FORA
8. WWOC Report
9. JPIA Liaison
10. Special Districts Association

11. Board Member Requests for Future Agenda Items

12. Director's Comments

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

Regular Meeting: *Monday, October 7, 2013, 6:45 p.m.,*
Marina Council Chambers
211 Hillcrest Avenue, Marina

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8 Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

A) Set Public Hearing for Capacity Charges for Central Marina and the Ord Community and Authorize Publication of the Public Hearing Notices
B) Approve the Expenditures for the Month of August 2013
C) Approve the Draft Minutes of the Adjourned Regular Board Meeting of August 26, 2013
D) Approve the Draft Minutes of the Regular Board Meeting of September 3, 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: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Set Public Hearing for Capacity Charges for Central Marina and the Ord Community and Authorize Publication of the Public Hearing Notices

Detailed Description: The Board of Directors is requested to set a Public Hearing for Capacity Charges for Central Marina and the Ord Community and authorize the publication of the Public Hearing Notices.

Staff recommends setting the Public Hearing for the regularly scheduled Board meeting of October 21, 2013 in conjunction with the Public Hearing for the proposed increase in rates, fees, and charges for both the Central Marina and the Ord Community.

The Board of Directors is also requested to authorize publication of the Public Hearing notices on or about October 4th and 11th.

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: __X__Yes _____No

Funding Source/Recap: Advertisement line item for each cost center (MW 31%, MS 7%, OW 51%, OS 11%).

Material Included for Information/Consideration: Draft Public Hearing notice for Proposed Increases on Rates, Fees, and Charges; and Draft Public Hearina notice for Proposed Increases in Capacity Charges.

Staff Recommendation: The Board of Directors set the Public Hearing for the regularly scheduled Board meeting of October 21, 2013; and authorize publication of the Public Hearing notices on or about October 4th and 11th.

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-B Meeting Date: September 16, 2013

Submitted By: Kelly Cadiente Presented By: Kelly Cadiente

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

Detailed Description: The Board of Directors is requested to approve the attached August 2013 check register for expenditures totaling $749,714.58.

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: August 2013 Summary Check Register.

Staff Recommendation: The Board of Directors approve the August 2013 expenditures totaling $749,714.58.

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-C Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Adjourned Regular Board Meeting of August 26, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of August 26, 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 August 26, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the August 26, 2013 adjourned 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-D Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of September 3, 2013

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

Staff Recommendation: The Board of Directors approve the draft minutes of the September 3, 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: 9-A Meeting Date: September 16, 2013

Submitted By: Kelly Cadiente Presented By: Kelly Cadiente
Reviewed By: Brian C. Lee

Agenda Title: Kick-off Meeting between the Board of Directors and the District's Independent Audit Firm, Pun & McGeady, LLP on the FY 2012-2013 Annual Audit

Detailed Description: The Board requested a kick-off meeting between the Board and the District's Independent Audit Firm, Pun & McGeady, LLP (P&M) to discuss the FY 2012-2013 annual audit.

Previously, the Board adopted Resolution No. 2012-48 awarding a 3-year contract with P&M to perform annual audit services to the District. The contract with P&M was an annual contract renewable every year during the 3-year period. At the conclusion of the audit for FY 2011/2012, P&M conducted an evaluation of the District's audit which revealed that the audit took over three times the amount of hours than what was estimated in their proposal.

P&M then opted not to renew the existing contract and instead proposed an amended contract at an increased fixed amount per year for the remaining 2-years of the original 3-year contract to reflect a more realistic amount of time necessary to provide audit services to the District. On April 15, 2013, the Board approved Resolution No. 2013-39 approving the amended contract and requested that the kick-off meeting with P&M be conducted between the Board and P&M.

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: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: This was a Board requested item.

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-B Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-54 to Approve a Planning Agreement to Amend and Extend an Agreement for Exercise of Exclusive Right to Negotiate for Purchase of Pre-1914 Water Right with Clark Colony Water Company

Detailed Description: Since at least 2006 the District has been discussing with Clark Colony Water Company (CCWC) the purchase of CCWC's Pre-1914 Water Rights. The last Agreement was executed in December 2009.

Staff has worked with CCWC representatives on the agreement presented tonight to amend and extend those existing agreements. This Planning Agreement secures the District's exclusive right to purchase the pre-1914 water rights while the District proceeds with the necessary CEQA studies for possible purchase. If the District moves forward with the CEQA work without executing this agreement it could spend considerable money and CCWC could still sell the water rights to another interested party at any time.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On April 26, 2006, the Board approved a MOU with CCWD. On December 12, 2007, the Board approved an agreement for exclusive right to negotiate for purchase of pre-1914 water right with CCWC. On December 23, 2008, the Board approved a planning agreement for exercise of exclusive right to negotiate for purchase of pre-1914 water right from CCWC and to extend the negotiation agreement for an additional 12-months. On December 8, 2009 the Board approved extending the negotiation agreement with CCWC for an additional 12-months.

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: $50,000 (100% from the Ord Water Reserves fund)

Material Included for Information/Consideration: Resolution No. 2013-54; Draft 2013 Planning Agreement, 2006 MOU between MCWD and CCWC, 2007 Agreement between MCWD and CCWC, and 2009 Planning Agreement between MCWD and CCWC.

Staff Recommendation: The Board of Directors is requested to adopt Resolution No. 2013-54, approving a Planning Agreement with Clark Colony Water Company to amend and extend Agreement for Exercise of Exclusive Right to Negotiate for Purchase of Pre-1914 Water Right.

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_____

September 16, 2013

Resolution No. 2013-54
Resolution of the Board of Directors
Marina Coast Water District
Approving a Planning Agreement to Amend and Extend
Agreement for Exercise of Exclusive Right to Negotiate for
Purchase of Pre-1914 Water Right

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on September 16, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District and Clark Colony Water Company have been negotiating the potential sale of Clark Colony Water Company's Pre-1914 Water Rights; and,

WHEREAS, the District and Clark Colony Water Company entered into a negotiation agreement on December 13, 2007; and,

WHEREAS, the District and Clark Colony Water Company executed a Planning Agreement on January 5, 2009; and,

WHEREAS, the District wishes to carefully analyze and consider purchasing the Water Right to augment urban water supplies, and as an alternative means of facilitating mitigation of potential environmental effects associated with groundwater use in the area served by MCWD.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to sign the Planning Agreement to Amend and to Extend Agreement for Exercise of Exclusive Right to Negotiate for Purchase of Pre-1914 Water Right and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED September 16, 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. 2013-54 adopted September 16, 2013.

_____
Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-56 to Authorize the General Manger to Take All Action Necessary to Formally Apply to the Monterey County Water Resources Agency for Surface Water from the Salinas River

Detailed Description: Current water allocations for the Ord Community total 6,600 acre-feet per year. This allocation has been divided amongst the various planning jurisdictions. The District recognizes that additional water is required for future projects within the Ord Community. Various projects have been studied and considered. One option is to treat surface water from the Salinas River.

The County received an extension of existing Permit 11043 from the State Water Resources Control Board earlier this year. That permit now allows up to 135,000 acre-feet of water to be used from the Salinas River under certain restrictions. Permit 11043 specifically states that diverted water may be used for domestic and agricultural purposes within Zone 2, of which MCWD is a part. The County Water Resources Agency is undergoing a review of possible projects to use that water and has recently formed a Regional Advisory Committee to discuss options.

Staff is seeking Board input regarding the District's desire to pursue obtaining surface water to augment our existing groundwater supplies.

Environmental Review Compliance: None required.

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: ___X___Yes _____No

Funding Source/Recap: Unknown Costs expected to be taken from Ord Water Reserves

Material Included for Information/Consideration: Resolution No. 2013-56; News Article, "Salinas Valley Water Project Timeline Released" from The Californian dated August 23, 2013; State Water Resource Control Board Permit 11043 for Diversion and Use of Water; and, State Water Resource Control Board Order WR 2013-0030-EXEC Approving Settlement Agreement and Partial Revocation.

Staff Recommendation: Staff seeks Board direction.

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_____

September 16, 2013

Resolution No. 2013-56
Resolution of the Board of Directors
Marina Coast Water District
Authorize the General Manger to Take All Action Necessary to
Formally Apply to the Monterey County Water Resources Agency
for Surface Water from the Salinas River

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on September 16, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District provides water service to the Ord Community; and,

WHEREAS, the Ord Community may require additional water supply for future projects; and,

WHEREAS, the County of Monterey Water Resource Agency is studying potential projects for use of water under its State Water Resource Control Board Permit 11043 for water from the Salinas River.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manger to take All Action Necessary to formally Apply to the Monterey County Water Resources Agency for Surface Water from the Salinas River and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED September 16, 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. 2013-56 adopted September 16, 2013.

_____
Brian C. Lee, Deputy Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-D Meeting Date: September 16, 2013

Submitted By: Kelly Cadiente Presented By: Kelly Cadiente
Reviewed By: Brian C. Lee

Agenda Title: Consider First Reading of Ordinance No. 56 to Adopt New District Rates, Fees and Charges for Marina Water and Wastewater for the Central Marina Service Area

Detailed Description: The Board is requested to conduct the first reading of Ordinance No. 56 as the next step to approving new water and wastewater rates, fees and charges for the Central Marina service area. Under the ordinance process for codifying rates fees and charges for Central Marina, the District is required to conduct first and second readings of the proposed ordinance, publish a summary of the ordinance in the local newspaper and set a public hearing date on the proposed change in rates, fees and charges.

On August 26, 2013, the Board approved the Five-Year Water and Wastewater Financial Plan and Rate Study. The approved Rate Study called for rate increases for FYs 2013/2014, 2014/2015, 2015/2016, 2016/2017 and 2017/2018 of the Central Marina and Ord Community service areas. The Board also approved a Prop 218 notification of proposed rate increases (mailed September 6, 2013) and set the Prop 218 public hearing date for Monday, October 21, 2013. In agenda item 8-A, the Board was requested to set a public hearing date for capacity charges for Monday, October 21, 2013.

Prior Committee or Board Action: On August 26, 2013, the Board adopted Resolution No. 2013-53 approving the 2013 Five-Year Water and Wastewater Financial Plan and Rate Study. The Board also approved a Prop 218 notification of proposed rate increases (mailed September 6, 2013) and set the Prop 218 public hearing date for Monday, October 21, 2013.

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: N/A.

Material Included for Information/Consideration: Ordinance No. 56.

Staff Recommendation: Conduct first reading of Ordinance No. 56 approving new water and wastewater rates, fees and charges for the Central Marina service area.

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: 9-E Meeting Date: September 16, 2013

Submitted By: Brian C. Lee Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-57 to Amend Section 16 of the Board Policy Manual and Add a New Section 44 to the Board Procedures Manual

Detailed Description: The Board Policy Manual is not clear on how direction is provided to consultants answering directly to the Board (e.g. attorneys, auditors). Section 16 is clear regarding directing employees and consultants subordinate to the General Manager.

Staff is requesting that the Board consider amending the Board Policy Manual for clarification.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board of Directors last amended the Board Procedures Manual in November 2012.

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: Resolution No. 2013-57; the Board Policy Manual - Section 16; Board Policy Manual - Draft Section 44; and Sample Policies from California Special Districts Association.

Staff Recommendation: Staff seeks Board direction.

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_____

September 16, 2013

Resolution No. 2013-57
Resolution of the Board of Directors
Marina Coast Water District to
Amend Section 16 of the Board Policy Manual and
Add a New Section 44 to the Board Procedures Manual

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on September 16, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the original Board Procedures Manual (BPM) was adopted on April 24, 2002 and was last revised on November 13, 2012; and,

WHEREAS, the BPM is a resource for directors, staff and the public that defines the roles, responsibilities and procedures of the Board; and,

WHEREAS, the Board Policy Manual is not clear on how direction is provided to consultants answering directly to the Board (e.g. attorneys, auditors), however, Section 16 is clear regarding directing employees and consultants subordinate to the General Manager. The suggested revisions to the BPM have been reviewed by legal counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the suggested revisions and updates to the Board Procedures Manual and directs staff to finalize the revisions.

PASSED AND ADOPTED September 16, 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. 2013-57 adopted September 16, 2013.

_____

Brian C. Lee, Deputy Secretary