



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: [www.mcwd.org](http://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, December 16, 2013, **6:00 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. **Election of Board President and Vice-President**

*Action: The Board will elect two Directors to serve as President and Vice President of the Board until December 2014.*

4. **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.*

5. **Closed Session**

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

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, December 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 January 6, 2014.

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

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)

### **7:00 p.m. Reconvene Open Session**

**6. 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.*

### **7. Pledge of Allegiance**

**8. 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.*

**9. 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. Approve the Proposed Regular Board Meeting Dates for 2014

B. Approve the Expenditures for the Month of November 2013

C. Approve the Draft Minutes of the Regular Board Meeting of November 4, 2013

D. Approve the Draft Minutes of the Regular Board Meeting of November 18, 2013

**10. Action Items** *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to four minutes.*

A. Consider Validating the Number of Proposition 218 Protests Tabulated on October 21, 2013 for the Proposed Increases in District Rates, Fees, and Charges for the Ord Community or Providing Other Direction to Staff

*Action: The Board of Directors will consider validating the number of protests tabulated on October 21, 2013 for the proposed increases in District rates, fees, and charges for the Ord Community.*

- B. Approval by the Board of Directors of the Proposition 218 Protest Count for Central Marina and Determination by the Board of Directors Whether a Valid Majority Protest Occurred

*Action: The Board of Directors will consider approving the Proposition 218 protest count and determine whether a valid majority protest occurred.*

- C. Consider Providing Direction to Staff to Prepare a Request for Proposals to Hire a Consultant to Address Concerns of the Audit Ad Hoc Committee, Including the Potential Conducting of a Forensic Audit of the District's Financials

*Action: The Board of Directors will consider Direct Staff to Distribute a Request for Proposals for a Forensic Audit of the District's Financials.*

- D. Receive Questions and Answers from the FORA Water/Wastewater Oversight Committee Discussions Regarding Proposed Ord Capacity Charges

*Action: The Board of Directors will receive questions and answers from the FORA Water/Wastewater Oversight Committee discussions regarding proposed Ord Capacity Charges.*

- E. Consider Adoption of Resolution No. 2013-63 to Amend the Professional Services Agreement with Carollo Engineers to Provide a Five-Year Financial Plan and Rate Study to the District

*Action: The Board of Directors will consider amending the Professional Services Agreement with Carollo Engineers to provide a Five-Year Financial Plan and Rate Study to the District.*

- F. Consider Adoption of Resolution No. 2013-64 to Amend a Professional Services Agreement with BHI Management Consulting to Complete a Five-Year Strategic Plan for the Marina Coast Water District

*Action: The Board of Directors will consider amending the Professional Services Agreement with BHI Management Consulting to complete a five-year Strategic Plan.*

- G. Consider Adoption of Resolution No. 2013-65 to Direct Staff to Distribute a Request for Proposals to Hire an Executive Recruiter for Recruitment of a General Manager

*Action: The Board of Directors will consider directing staff to distribute a Request for Proposals to hire an Executive Recruiter for recruitment of a General Manager.*

- H. Consider a Scope of Topics for the Community Outreach Committee to Discuss with the Community

*Action: The Board of Directors will consider a scope of topics for the Community Outreach Committee to discuss when meeting with the Community at large.*

**11. Staff Report**

- A. Receive 3<sup>rd</sup> Quarter 2013 Ord Community Water Consumption and Sewer Flow Reports

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

- A. General Manager's Report  
- Correspondence Received by Board or General Manager

- B. Counsel's Report

- C. Committee and Board Liaison Reports

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

**13. Board Member Requests for Future Agenda Items**

- A. Board Member Requests

**14. Director's Comments**

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

*Regular Meeting: Monday, January 6, 2014, 6:45 p.m.,  
Marina Council Chambers  
211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 3

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Election of Board President and Vice-President

Detailed Description: Resolution No. 98-1, as amended, states that the Board will annually elect a President and Vice-President. The Board Procedures Manual last revised on December 2, 2013 states:

“This District shall have a President who shall be elected by the Board from among the five (5) elected directors. The President shall be elected annually in the month of December. It is the Board's policy to rotate the office of President among the Board members and no Director shall serve more than three (3) consecutive years as president.”

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  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors elect a President and Vice-President to serve the next 1-year term.

Action Required:  Resolution  Motion  Review

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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

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Approve the Proposed Regular Board Meeting Dates for 2014
- B) Approve the Expenditures for the Month of November 2013
- C) Approve the Draft Minutes of the Regular Board Meeting of November 4, 2013
- D) Approve the Draft Minutes of the Regular Board Meeting of November 18, 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.)

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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: December 16, 2013

Submitted By: Paula Riso

Presented By: Paula Riso

Agenda Title: Approve the Proposed Regular Board Meeting Dates for 2014

Detailed Description: The Board is requested to approve the proposed regular Board meeting dates for 2014.

**Board Meeting Schedule for 2014**

1<sup>st</sup> and 3<sup>rd</sup> Monday of Each Month\*  
6:45 p.m.

January 6, 2014	January 21, 2014* (Tuesday)
February 3, 2014	February 18, 2014* (Tuesday)
March 3, 2014	March 17, 2014
April 7, 2014	April 21, 2014
May 5, 2014	May 19, 2014
June 2, 2014	June 16, 2014
July 7, 2014	July 21, 2014
August 4, 2014	August 18, 2014
September 2, 2014* (Tuesday)	September 15, 2014
October 6, 2014	October 20, 2014
November 3, 2014	November 17, 2014
December 1, 2014	December 15, 2014

\* Monday is a Holiday so the meeting is scheduled for Tuesday.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors consider approving the proposed regular Board meeting dates for 2014.

Action Required: \_\_\_\_\_Resolution Motion \_\_\_\_\_Review

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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: December 16, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

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

Detailed Description: The Board of Directors is requested to approve the attached November 2013 check register for expenditures totaling \$1,613,519.34.

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: November 2013 Summary Check Register.

Staff Recommendation: The Board of Directors approve the November 2013 expenditures totaling \$1,613,519.34.

Action Required:     \_\_\_Resolution   \_\_\_X\_\_\_Motion   \_\_\_Review  
(Roll call vote is required.)

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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: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of November 4, 2013

Detailed Description: The Board of Directors is requested to approve the draft minutes of November 4, 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 November 4, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the November 4, 2013 regular Board meeting.

Action Required:     \_\_\_Resolution   \_\_\_X\_\_\_Motion   \_\_\_Review

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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-D

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of November 18, 2013

Detailed Description: The Board of Directors is requested to approve the draft minutes of November 18, 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 November 18, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the November 18, 2013 regular Board meeting.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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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: 10-A

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Validating the Number of Proposition 218 Protests Tabulated on October 21, 2013 for the Proposed Increases in District Rates, Fees, and Charges for the Ord Community or Providing Other Direction to Staff

Detailed Description: The Board of Directors is requested to consider validating the number of Proposition 218 protests that were tabulated on October 21, 2013 for the proposed increases in District rates, fees, and charges for the Ord Community.

The original Proposition 218 notices (a total of 6,492 notices) were sent to Central Marina and the Ord Community on September 6, 2013. A postcard with clarification on the Public Hearing date was sent to the Ord Community service area customers on October 4, 2013 (a total of 595 postcards). A revised Proposition 218 notice was sent to Central Marina service area customers with a Public Hearing date of November 18, 2013 on October 4, 2013 (a total of 5,226 notices).

Of those notices, 279 were returned for the following reasons: bad addresses; addressee unknown; forwarding time expired; unclaimed/vacant; no mail receptacle; and refused. The addresses were corrected on 115 notices and then remailed. Of the postcards sent on October 4, 2013 to Ord Community customers, 11 postcards were returned.

Following the closure of the Public Hearing on October 21, 2013, Mr. Brian Lee announced that the District currently provides services to 569 parcels in the Ord Community and for a successful protest, 285 protests needed to be received by 7:00 p.m. that evening. A parcel receiving service from the District, which includes water, sewer, or irrigation, was considered as a valid protest. A parcel that was not currently receiving service from the District was considered an invalid protest. A maximum of one protest is allowed for each parcel. If two protests were received for one parcel, one of the protests was considered a duplicate.

Staff provided an unofficial count of 246 valid protests received by 7:00 p.m. on October 21, 2013. Staff has recounted the protests three times and has verified and determined an official protest count for the Ord Community.

The total number of protests received by 7:00 p.m. on October 21, 2013 is as follows:

Total number of protests received:	1166
Total number of protests invalid:	884
<u>Total number of protests duplicated:</u>	<u>31</u>
Total number of protests valid:	251

In addition, three protests were received after 7:00 p.m.

Staff is requesting that the Board of Directors validate there was not a successful number of protests received in the Proposition 218 process to prevent the Board of Directors from considering the proposed rate, fee and charge increase.

Since the Public hearing staff has been analyzing the process and data, attempting to determine the significance of any errors or discrepancies that occurred. Staff has conducted a line-by-line comparison between the County APN database and the original August MCWD 218 mailing database.

The results of our study are:

- The District identified 381 parcels within Seaside Highlands by searching for street names within the County APN database.
- The District matched 350 names and addresses between the County APN database and the August MCWD 218 mailing database (92%)
- Of the 31 remaining APNs within the County APN database, 29 existed in the MCWD 218 mailing database but had errors.
- 24 of the original notices sent to Seaside Highlands were returned to the District.
- 17 of the 24 original notices returned to MCWD from Seaside Highlands were resent to the corrected address.
- Four of 17 resent notices were resent even though the correct owner/address also received a notice from the original mailing (multiple property owners).
- 3 of the 30 property owners on the 'bad address' list did file protests.
- The District received 111 valid protests out of a total of 398 parcels within zip code 93955 (including Seaside Highlands).

The following points are made regarding the entire Ord Community:

- 34 additional valid protests are required for a successful protest to occur (>50%)
  - 285 valid protests required – 251 valid protest received = 34 additional protests needed.
- 48% of the parcels originally noticed filed a protest
  - 569 total parcels - 45 no original notice = 524 parcels receiving original notice
  - 251 valid protests / 524 parcels receiving original notice = 48%
- Assumption: 45 parcel owners in the Ord Community did not receive an original notice
  - 31 'bad addresses' in Seaside Highlands / 381 parcels in Seaside Highlands = 8%
  - 569 parcels in the Ord Community X 8% = 45 parcels in the Ord Community did not receive an original notice.
- Assumption: 76% of the 'bad addresses' would have had to file a protest.
  - 34 additional valid protests needed / 45 parcel owners not receiving an original notice = 76%
- Assumption: 22 of the 'bad addresses' would file a protest (three did).
  - 45 'bad addresses' X 48% = 22 protests
- Assumption: Adjusting for the original 'bad addresses' there would be 273 valid protests
  - 251 received + 22 assumed = 273 assumed valid protests

The above discussion does not consider that 17 of the 'bad addresses' were resent to the proper address or that a second mailing was sent using a corrected database. It is unlikely that a majority of residents were not aware of the 218 protest.

Based on the above, staff concludes that errors in the original mailing database were not significant enough to change the outcome of the Ord Community 218 process.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On November 18, 2013, the Board of Directors tabled this item. On December 2, 2013, the Board of Directors tabled this item.

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: None.

Staff Recommendation: The Board of Directors validate there was not a successful number of protests received in the Proposition 218 process to prevent the Board of Directors from considering the proposed rate, fee and charge increase.

Action Required:     \_\_\_\_\_Resolution     \_\_\_X\_\_\_Motion     \_\_\_\_\_Review

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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: 10-B

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approval by the Board of Directors of the Proposition 218 Protest Count for Central Marina and Determination by the Board of Directors Whether a Valid Majority Protest Occurred

Detailed Description: The Board of Directors is requested to approve the Proposition 218 protest count for Central Marina and determine whether a valid majority protest occurred.

- There were 47 valid protests received by the close of the protest period.
- There are 3,645 parcels within Central Marina receiving service from the District
- < 2% of the parcels filed a valid protest.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On November 18, 2013, the Board of Directors tabled this item. On December 2, 2014, the Board of Directors tabled this item.

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: None.

Staff Recommendation: The Board of Directors approve the Proposition 218 Protest count for Central Marina and determination by the Board of Directors that a valid majority protest did not occur.

Action Required:     \_\_\_Resolution   \_\_\_X\_\_\_Motion   \_\_\_Review

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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: 10-C

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Providing Direction to Staff to Prepare a Request for Proposals to Hire a Consultant to Address Concerns of the Audit Ad Hoc Committee, Including the Potential Conducting of a Forensic Audit of the District's Financials

Background: At a regular meeting on December 2, 2013, the Board requested that staff bring this item to the Board for discussion.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board discussed this item on December 2, 2013.

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:  Yes  No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors provide direction to staff.

Action Required:  Resolution  Motion  Review

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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: 10-D

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive Questions and Answers from the FORA Water/Wastewater Oversight Committee Discussions Regarding Proposed Ord Capacity Charges

Background: Staff has been working with the Water/Wastewater Oversight Committee (WWOC) to present the 2013/2014 Ord Community Budget to the FORA Board.

Detailed Description: Staff has been discussing the District's proposed 2013 rate study in tandem with the 2013/2014 Ord Community Budget with the WWOC since late summer. A number of questions have been asked at the WWOC and staff has attempted to answer them in a formal process (attached).

Additionally, questions asked at the WWOC have generated additional internal staff questions regarding some assumptions made by the consultant (Carollo Engineering) for the Ord Capacity Charges in the 2013 rate study. Staff has been working with the consultant to ensure that the best information is included when making capacity charge recommendations. Specific issues include:

- Cost of Water Rights
- Cost of Easement Rights
- Existing Facility depreciation

At a future meeting of the Board staff will present adjusted Ord Capacity Charges and the reasoning for the proposed adjustment.

The 2013/2014 Ord Community budget does not include proposed changes to the Ord Capacity Charges from prior years. Therefore, no changes will be required to the proposed 2013/2014 Ord budget as a result of any adjustment to the proposed capacity charge changes.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board accepted the Carollo 2013 Rate Study at a Special Meeting on August 26, 2013.

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:     \_\_\_ Yes      X  No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: WWOC Q&A.

Staff Recommendation: None.

Action Required:      \_\_\_\_\_Resolution      \_\_\_\_\_Motion        X  Review

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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: 10-E

Meeting Date: December 16, 2013

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

Presented By: Kelly Cadiente

Agenda Title: Consider Adoption of Resolution No. 2013-63 to Amend the Professional Services Agreement with Carollo Engineers to Provide a Five-Year Financial Plan and Rate Study to the District

Detailed Description: the Board of Directors is requested to authorize an amendment to the Professional Services Agreement (PSA) with Carollo Engineers for additional work outside the scope of the PSA to provide a Five-Year Financial Plan and Rate Study to the District.

On September 12, 2012, the Board adopted Resolution No. 2012-55 to approve a PSA with Carollo Engineers to provide a five-year financial plan and rate study to the District for a not-to-exceed amount of \$63,311. Carollo Engineers began the Study in February, 2013 following Board approval of the FY 2012-2013 Ord Community portion of the District' Budget.

The original scope of work included three (3) meetings or presentations by Carollo. Following the presentation at the August 5, 2013 Board meeting which constituted the third meeting in the scope of work, the Board then requested additional analysis on the rates and directed staff to obtain additional rate scenarios based on certain factors and have Carollo present them to the Board. In addition, Carollo was requested to participate in presenting the Study to the Fort Ord Reuse Authority (FORA) at its October 11, 2013 regular Board meeting as well as participation in two additional future FORA or related committee meetings. Based on the additional requested work, staff requests that the Board approve an amendment to the PSA for a not-to-exceed amount of \$24,222.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On May 17, 2012, the Board adopted Resolution No. 2012-40 to approve a Request for Proposals (RFP) for a five-year water, wastewater, and recycled water financial plan and rate study; on September 11, 2012, the Board adopted Resolution No. 2012-55 approving a PSA with Carollo Engineers to provide a five-year rate financial plan and rate study to the District; on August 26, 2013 the Board approved the 2013 five-year water, wastewater, and recycled water financial plan and rate study.

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 2012/2013 Operating Budget of the Central Marina and Ord Community cost centers.

Material Included for Information/Consideration: Resolution No. 2013-63; Carollo Engineers Rate Study Amendment #1.

Staff Recommendation: The Board of Directors adopt Resolution No. 2013-63 to amend the PSA with Carollo Engineers to provide a five-year financial plan and rate study to the District to commence once the 2012/2013 Ord Community Budget has been approved.

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

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Board Action

Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

December 16, 2013

Resolution No. 2013-63  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending the Professional Services Agreement with Carollo Engineers  
to Provide a Five-year Financial Plan and Rate Study 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 December 16, 2013, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, previously the Board adopted Resolution No. 2012-55 to approve a professional services agreement with Carollo Engineers to provide a five-year water, wastewater, and recycled water financial plan and rate study; and,

WHEREAS, staff, through direction by the Board of Directors, requested additional analysis and meeting/presentations from Carollo Engineers outside the original scope of work.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the Interim General Manager and/or Director of Administrative Services to execute an amendment to the Professional Services Agreement with Carollo Engineers to provide a five-year financial plan and rate study to the District for a not to exceed amount of \$24,222 and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on December 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:

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Brian C. Lee, 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. 2013-63 adopted December 16, 2013.

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Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-F

Meeting Date: December 16, 2013

Submitted By: Jean Premutati  
Reviewed By: Brian C. Lee

Presented By: Jean Premutati

Agenda Title: Consider Adoption of Resolution No. 2013-64 to Amend a Professional Services Agreement with BHI Management Consulting to Complete a Five-Year Strategic Plan for the Marina Coast Water District

Detailed Description: At a regular meeting on February 12, 2013, the Board adopted Resolution No. 2013-16 amending a prior professional services agreement with BHI Management Consulting to develop a five-year strategic plan for the District.

The estimated scope of work included two options. The Board approved Option B which included facilitation of a public meeting, a Board workshop and several onsite meetings for a total cost of \$29,805. At the November 4, 2013 “tone check” meeting where Brent Ives presented the draft strategic plan to the Board, it was evident that additional fine-tuning would be needed and to extend the timeline and contract amount. To date, the District has paid \$29,719.74 in invoices through November. In order to complete the scope of work and present a final plan to the Board, BHI has submitted a scope of proposed changes that includes an additional twenty (20) hours and potentially 3 more onsite visits. The breakdown is as follows:

20 hours at \$250/hour	= \$5,000
<u>3 onsite visits at \$350 each</u>	<u>= \$1,050</u>
Total	\$6,060

Mr. Ives has proposed the District should plan for this stage to last through April 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board approved Resolution No. 2013-16 to amend a professional service agreement with BHI Management Consulting to complete a five-year strategic plan for the Marina Coast Water District.

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: Expenditures are allocated across the four cost centers; 01-Marina Water, 02-Marina Sewer, 03-Fort Ord Water, 04-Fort Ord Sewer

Material Included for Information/Consideration: Resolution No. 2013-64.

Staff Recommendation: The Board of Directors consider amending a professional services agreement with BHI Management Consulting.

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

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Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

December 16, 2013

Resolution No. 2013-64  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending a Professional Services Agreement with BHI Management Consulting  
to Develop a Five-Year Strategic Plan for the Marina Coast Water District

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

WHEREAS, the Board adopted Resolution No. 2013-16 amending a professional services agreement with BHI Management Consulting at its meeting on February 12, 2013 to develop a five-year strategic plan that would outline the goals and objectives for the District; and,

WHEREAS, the Board elected Option B which included a public meeting, Board workshop and several onsite visits for a total cost of \$29,805. The total cost expended to date is \$29,719.74; and,

WHEREAS, after a presentation to the Board of the draft plan it is necessary to increase the agreement amount an additional \$6,050 for compiling Directors comments, additional onsite visits and working with staff to finalize the plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the Interim General Manager to execute an amendment to the Professional Services Agreement with BHI Management Consulting for completion of a five-year strategic plan and Board Workshop.

PASSED AND ADOPTED on December 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 \_\_\_\_\_

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Thomas P. Moore, President

ATTEST:

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Brian C. Lee, 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. 2013-64 adopted December 16, 2013.

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Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-G

Meeting Date: December 16, 2013

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-65 to Direct Staff to Distribute Request for Proposals to Hire an Executive Recruiter for Recruitment of a Full-Time General Manager

Detailed Description: At a regular meeting on December 2, 2013, the Board made a motion to direct staff to draft a Request for Proposals (RFP) to hire an Executive Recruiting firm to conduct a search for a full-time General Manager.

An external recruiting firm has the knowledge and experience to oversee the process and provide the Board with as much direct involvement as is requested. In addition, these firms can be hired on a retainer or contingency basis.

Staff is requesting the Board to approve the draft RFP and proceed with distribution.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board discussed this item on December 2, 2013.

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:     Yes     No

Funding Source/Recap:    All four cost centers MW 31%, MS 7%, OW 51%, OS 11%..

Material Included for Information/Consideration:    Resolution No. 2013-65; and, Draft Request for Proposal.

Staff Recommendation: The Board of Directors consider approving the draft RFP and adopting Resolution No 2013-65.

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

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

December 16, 2013

Resolution No. 2013-65  
Resolution of the Board of Directors  
Marina Coast Water District  
Directing Staff to Distribute a Request for Proposals to Hire an Executive Recruiter for  
Recruitment of a Full-Time General Manager

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

WHEREAS, at the December 2, 2013 meeting, the Board elected to hire an Executive Recruiting firm to conduct a recruitment and placement for a Full-Time General Manager; and,

WHEREAS, staff has drafted a Request for Proposal (RFP) to hire a firm on a retainer basis that specializes in executive level job searches for public sector. Executive recruiters have access to networks and resources nation-wide including potential hires not actively seeking to change employers; and,

WHEREAS, the recruiting firm will oversee this recruitment and provide the Board with as much direct involvement as requested; and,

WHEREAS, staff will submit all proposals to the Board of Directors for review.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve a Request for Proposal to Hire an Executive Recruiter for recruitment of a Full-Time General Manager.

PASSED AND ADOPTED on December 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:

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Brian C. Lee, 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. 2013-65 adopted December 16, 2013.

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Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-H

Meeting Date: December 16, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider a Scope of Topics for the Community Outreach Committee to Discuss with the Community

Background: At a regular meeting on December 2, 2013, the Board requested that staff bring this item to the Board for discussion.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board discussed this item on December 2, 2013.

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:  Yes  No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors provide direction to the Community Outreach Committee.

Action Required:  Resolution  Motion  Review

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Board Action

Resolution No  Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Staff Report

Agenda Item: 11-A

Meeting Date: December 16, 2013

Prepared By: Kelly Cadiente, and Paul Lord

Reviewed By: Brian C. Lee

Subject: 3<sup>rd</sup> Quarter 2013 Ord Community Water Consumption and Sewer Flow Reports

Summary: The Board of Directors is requested to receive the 3<sup>rd</sup> Quarter 2013 Ord Community Water Consumption and Sewer Flow Report. Quarterly water consumption reports have been submitted to the Board since 2006. The quarterly consumption report contains the Ord Community water consumption data organized by land-use jurisdiction.

This staff report also includes tracking information on Ord Community sewer flows and available sewer capacity. Ord Community sanitary sewer flow for the 3<sup>rd</sup> quarter of 2013 was 76.035-million-gallons which yield an average daily sewer flow of 0.826-million-gallons-per-day (MGD). The Ord Community's sanitary sewer flow to the Monterey Regional Water Pollution Control Agency (MRWPCA) interceptor system is measured by a District flume structure located adjacent to the retired Main Garrison wastewater treatment plant.

The District maintains sewage conveyance capacity within the Ord Community equivalent to 3.3-MGD. The 3.3-MGD capacity managed by the District is further divided into 1.1-MGD for use by the US Army and 2.2-MGD for use by others in the Ord Community.

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

- The number of customers in each category is defined as the number of active accounts within that land use jurisdiction.
- "Army Facilities & Businesses - Ord" captures all uses not listed in the other Army categories.
- The rainfall total for the quarter (July, August, September), was 0.47 inches. This amount of rainfall is higher than the historical quarterly average rainfall of 0.28 inches.
- The measured reference evapotranspiration rate for this period was 9.59 inches, lower than the historical quarterly average figure of 10.82 inches.