



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

WILLIAM Y. LEE
HOWARD GUSTAFSON
HERBERT CORTEZ

Agenda
Regular Board Meeting, Board of Directors
Marina Coast Water District
and
Regular Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency
Marina Council Chambers
211 Hillcrest Avenue, Marina, California
Monday, October 15, 2018, 6:30 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the third Monday of each month with workshops scheduled for the first Monday of some months. The meetings normally begin at 6:30 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, Marina, California.

Our Mission: *We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

1. Call to Order

2. Roll Call

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

4. Closed Session

A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation

- 1) Ag Land Trust v. Marina Coast Water District, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case Nos. H038550 and H039559

This agenda is subject to revision and may be amended prior to the scheduled meeting. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the City of Marina Council Chambers. The agenda shall also be posted at the following locations but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): District offices at 11 Reservation Road, Seaside City Hall, the City of Marina Library, and the City of Seaside Library. A complete Board packet containing all enclosures and staff materials will be available for public review on Wednesday, October 10, 2018. Copies will also be available at the Board meeting. Information about items on this agenda or persons requesting disability related modifications and/or accommodations should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5910.

- 2) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019 & A.13-05-017 Settlement Agreement
- 3) Marina Coast Water District v. California Public Utilities Commission, California Supreme Court Case No. S230728, Writ of Review
- 4) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief); First Appellate District Court of Appeals Case Nos. A145604, A146166, A146405
- 5) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case Nos. CGC-15-547125, CGC-15-546632 (Complaint for Breach of Warranties, etc.)
- 6) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. 15CV00267
- 7) Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu vs Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey and Does 1-25, inclusive, Monterey County Superior Court Case No. 18CV000765 (Petition for Writ of Mandate or Administrative Mandate, and Complaint for Declaratory and Injunctive Relief and Breach of Contract)
- 8) Marina Coast Water District, and Does 1-100 v, County of Monterey, County of Monterey Health Department Environmental Health Bureau, and Does 101-110, Monterey County Superior Court Case No. 18CV000816 (Petition for Writ of Mandate and Complaint for Injunctive Relief)

7:00 p.m. Reconvene Open Session

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

6. Pledge of Allegiance

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

8. Consent Calendar

- A. Receive and File the Check Register for the Month of September 2018
- B. Approve the Draft Minutes of the Joint Board/GSA Meeting of September 17, 2018

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 No. 2018-57 to Approve a Water, Sewer and Recycled Water Infrastructure Agreement between the Marina Coast Water District and the Marina Developers, Inc. for the Sea Haven Phase 5A Development Project

Action: The Board of Directors will consider approving a water, sewer and recycled water infrastructure agreement for Phase 5A of the Sea Haven development.

- B. Consider Adoption of Resolution No. 2018-58 to Approve Two Additional System Operator I Positions Within the Operations and Maintenance Department

Action: The Board of Directors will consider adding two new positions to the Operations and Maintenance Department.

- C. Consider Adoption of Resolution No. 2018-59 to Approve Amendment No. 2 to the Professional Services Agreement with Akel Engineering Group, Inc. for the Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water

Action: The Board of Directors will consider approving an amendment to the Professional Services Agreement with Akel Engineering Group for work on the Water, Wastewater, and Recycled Water Master Plans.

10. Staff Reports

- A. Receive an Update Report on Hot Water Recirculation Issue within the Shea Homes
- B. Receive the 3rd Quarter 2018 MCWD Water Consumption and Sewer Flow Report

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

- A. General Manager's Report
- B. Counsel's Report
- C. Committee and Board Liaison Reports

1. Water Conservation Commission
2. Joint City-District Committee
3. Executive Committee
4. Community Outreach Committee
5. Budget and Personnel Committee
6. M1W Board Member Liaison
7. LAFCO Liaison
8. FORA
9. WWOC Report
10. JPIA Liaison
11. Special Districts Association
12. SVBGSA Liaison

12. Correspondence

13. Board Member Requests for Future Agenda Items

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

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

*Monday, November 19, 2018, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: October 15, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Consent Calendar

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

Background: *5-Year Strategic Plan Mission Statement – We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of September 2018
- B) Approve the Draft Minutes of the Joint Board/GSA Meeting of September 17, 2018

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Other Considerations: The Board of Directors can approve these items together or they can pull them separately for discussion.

Material Included for Information/Consideration: Check Register for September 2018; and, draft minutes of September 17, 2018.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: October 15, 2018

Prepared By: Kelly Cadiente

Approved By: Derek Cray

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

Staff Recommendation: The Board of Directors receive and file the September 2018 expenditures totaling \$2,631,225.86.

Background: *5-Year Strategic Plan, Objective No. 3 – Our objective is to manage public funds to assure financial stability, prudent rate management and demonstrate responsible stewardship. Our fiscal strategy is to forecast, control and optimize income and expenditures in an open and transparent manner. We will efficiently use our financial resources to assure availability to fund current and future demands.*

Discussion/Analysis: These expenditures were paid in September 2018 and the Board is requested to receive and file the check register.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Expenditures are allocated across the six cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04- Ord Sewer, 05-Recycled Water, 06-Regional Water.

Other Consideration: None.

Material Included for Information/Consideration: September 2018 Summary Check Register.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: October 15, 2018

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Joint Board/GSA Meeting of September 17, 2018

Staff Recommendation: The Board of Directors approve the draft minutes of the September 17, 2018 joint Board meeting.

Background: *5-Year Strategic Plan, Mission Statement – We Provide high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Discussion/Analysis: The draft minutes of September 17, 2018 are provided for the Board to consider approval.

Environmental Review Compliance: None required.

Financial Impact: ___Yes ___X___No Funding Source/Recap: None

Other Considerations: The Board can suggest changes/corrections to the minutes.

Material Included for Information/Consideration: Draft minutes of September 17, 2018.

Action Required: ___Resolution ___X___Motion ___Review

Board Action

Motion By_____ Seconded By_____ No Action Taken_____

Ayes_____ Abstained_____

Noes_____ Absent_____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: October 15, 2018

Prepared By: Andrew Racz

Approved By: Derek Cray

Reviewed By: Michael Wegley

Agenda Title: Consider Adoption of Resolution No. 2018-57 to Approve a Water, Sewer and Recycled Water Infrastructure Agreement between the Marina Coast Water District and the Marina Developers, Inc. for the Sea Haven Phase 5A Development Project

Staff Recommendation: The Board of Directors adopt Resolution No. 2018-57 approving a Water, Sewer and Recycled Water Infrastructure Agreement between the Marina Coast Water District and the Marina Developers, Inc., a California Corporation for the Sea Haven Phase 5A Development Project.

Background: 5-Year Strategic Plan, Strategic Element No. 2 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District standards.

The Marina Developers, Inc., a California Corporation (Developer) has acquired control of and is preparing to continue development at the on-going Sea Haven (formerly Marina Heights) residential development project. This approximate 248-acre project is located within the incorporated City of Marina and in the Ord portion of MCWD's service area. The Developer is requesting MCWD to enter into this Water, Sewer, and Recycled Water Infrastructure Agreement (hereafter referred to as the Infrastructure Agreement, or IA) because of water and sewer infrastructure needing to be installed that will most appropriately be owned, operated, and maintained by MCWD. The City of Marina serves as the land-use jurisdiction over this development project. The Developer has deposited monetary funds with MCWD to conduct the preliminary work of their proposed development; their development account is in good-standing.

The overall development is divided into five phases (Phase 1 through Phase 5). In November of 2007, MCWD entered into agreement with Cypress Marina Heights, LP (Cypress) to begin land development at Sea Haven. Cypress developed Phases 1 (arterial roadways and associated water/sewer infrastructure) and 2 (neighborhood roadways/infrastructure for the areas currently being built with homes). Wathen-Castanos Homes (parent company to Marina Developers, Inc.) has been one of two homebuilders operating in Sea Haven since early 2017. In May 2018, the Marina Developers acquired Cypress's stake in the remaining phases (Phases 3-5). Phase 5 is bounded by Abrams Drive on the south, Imjin Parkway to the southwest, California Avenue to the northwest and Marina Heights Drive to the north and east. A Site Map depicting the project site is included as the page in the Board Packet immediately after this item's proposed Resolution. Marina Developers will now serve as the Project's land developer, and Wathen-Castanos Homes will continue as the sole homebuilder in Sea Haven. The three remaining Project phases are distinguished geographically as shown on the Site Map. The Developer intends to develop the phases in sequence, beginning with the 13.86 acre Phase 5A (the eastern portion of Phase 5)

containing approximately 70 units. Separate IAs will be established for Phases 3, 4 and 5B when these areas are ready to be developed.

As per City of Marina Resolution 2004-41, adopted by City Council on March 3, 2004, to approve the supplement to the certified final EIR on the Marina Heights Specific Plan, the total Water Allocation for all development phases of the Development is 292.39 AFY. A December 2003 Water Supply Assessment for the Marina Heights project estimated an annual water use of 349.5-AFY serving 1,050 residential units and 4.5 acres of irrigated parkland and Home Owner Association (HOA) landscaping. As such, the Developer has been allocated sufficient water to continue development to approximately 84% buildout, as designed, or 878 residential units including parkland and HOA landscaping for the overall development.

Discussion/Analysis: The Board of Directors is requested to approve this Infrastructure Agreement for the Sea Haven Phase 5A development project; the attached draft Infrastructure Agreement is based upon the most recent board-approved (June 2013) format used for all other development groups within the MCWD service area.

The new infrastructure being transferred to the District will be constructed within the public right-of-way, public utility easements, or within easements provided to MCWD by the Developer. The specific infrastructure proposed for transfer includes PVC potable water pipelines, PVC gravity sewer pipelines, associated sewer manholes, water valves, fire-hydrants, and other water and sewer appurtenances. An Engineer's Estimation of Probable Costs, to serve as a basis for preparing the Performance and Labor and Materials Bonds specified by this Infrastructure Agreement, will be provided as an initial step in the planning and design process.

There are several changes between this proposed Infrastructure Agreements and the Board authorized (in 2013) Infrastructure Agreement template. The greatest differences may be found in newly-added Section 2.1.3, which specifically addresses the vital existing MCWD water and sewer infrastructure that underlies the proposed development, and the need for the Developer to carefully design and implement Outage Plans that prioritize the protection of this infrastructure before development may proceed. Changes were made to the Arbitration procedure in Section 19.3, allowing for a more formal arbitration in accordance with the American Arbitration Association's commercial arbitration rules. Certain section headings were added/deleted/reformatted throughout the document for the purposes of consistency and clarity. Similarly, the article "the" was added throughout the document when in reference to either *the District* or *the Developer*, and the word "Facilities" was capitalized where referencing the specific term as defined in Section 1.1.e.

Yellow highlights in the attached draft Infrastructure Agreement (IA) show the differences between the proposed IA and the Board-approved 2013 IA template. All the additions (i.e. the differences that were added to the proposed IA document that are not within the IA template) are highlighted. The deletions (from the template) in the proposed IA may be discerned by ~~strikeout~~. The proposed IA herein is substantially the same as the Board-approved IA template.

Environmental Review Compliance: This Infrastructure Agreement is not a "project" under the California Environmental Quality Act (CEQA); this action is categorically exempt.

Financial Impact: Yes No Funding Source/Recap: None

Other Considerations: The Board may desire to consider other alternatives to adopting the motion as recommended by staff including:

1. Modifying or conditioning the action; or,
2. Direct further staff work; or,
3. Deny the action.

Material Included for Information/Consideration: Resolution No. 2018-57; Site Map; and, draft redlined Infrastructure Agreement.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

October 15, 2018

Resolution No. 2018 - 57
Resolution of the Board of Directors
Marina Coast Water District

Approving a Water, Sewer, and Recycled Water Infrastructure Agreement
Between Marina Coast Water District and Marina Developers, Inc. for the
Sea Haven Phase 5A Development Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on October 15, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the Marina Developers, Inc., a California Corporation (“Developer”) have coordinated with the District on their Sea Haven Phase 5A development project, consisting of new construction and related infrastructure, located within the former Fort Ord portion of the City of Marina; and,

WHEREAS, the City of Marina, acting as a land-use jurisdiction, has allocated by Resolution 2004-41 a water supply of 292.39-AFY, out of a total annual allotment of 1,175-AFY for incorporated former Fort Ord lands; and,

WHEREAS, the District and the Developer, are working cooperatively regarding proposed water, recycled water and sewer system improvements; and,

WHEREAS, the District and the Developer have agreed upon the proposed Water, Sewer and Recycled Water Infrastructure Agreement and desire to enter into same.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to execute the Water, Sewer and Recycled Water Infrastructure Agreement between the Marina Coast Water District and the Marina Developers, Inc., a California Corporation, for the Sea Haven Phase 5A development project and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED October 15, 2018, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Keith Van Der Maaten, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2018-57 adopted October 15, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: October 15, 2018

Prepared By: Derek Cray
Presented By: Rose Gill

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-58 to Approve Two Additional System Operator I Positions Within the Operations and Maintenance Department

Staff Recommendation: Staff recommends the Board of Directors adopt Resolution No. 2018-58 to approve two new System Operator I positions within the Operations and Maintenance Department.

Background: 5-Year Strategic Plan— Our objective is to recruit and retain a highly qualified, diverse and inspired workforce that delivers the essential services of our mission statement to the public while providing outstanding customer service. Our strategy is to utilize sound policies and personnel practices, offer competitive compensation and benefits, and provide opportunities for training, development, and professional growth while ensuring a safe and secure workplace.

Marina Coast Water District (District) operates and maintains the water (CA 271007) and wastewater system (3SSO 10287) for Central Marina and the Ord Community. The District owns and maintains approximately 162 miles of water pipe and 150 miles of sewer. Also, the district operates and maintains 8 drinking water wells, 5 water pump stations, 8 storage reservoirs and 20 sewer lift stations. Currently, the Operations and Maintenance department is staffed with the following certified operators: nine (9) System Operators II, one (1) System Operator I, one (1) System Operator III, one (1) Operations & Maintenance Supervisor, and one (1) Operations and Maintenance Manager. Also in the department is a Maintenance Worker, however that position only performs maintenance on the District's two properties and does not operate or maintain the water/wastewater infrastructure.

Discussion/Analysis: The Operations and Maintenance department plays a critical role in delivering safe and reliable drinking water to its consumers and maintaining sewer systems that allow for uninterrupted sewer services. Two main components in operating and maintaining these systems are preventative maintenance (PM) and reactive maintenance/repair. Currently, Operations and Maintenance spends the majority of the time on reactive activities which leaves insufficient time for PM work. Staffing constraints also limit the amount staff time available for PM. In addition, due to the longevity of the Operation and Maintenance staff, all are at the maximum vacation accrual with the exception of the latest hire, which puts a burden on trying to maintain enough staff throughout the workweek to perform needed and critical tasks. Last fiscal year, the Operations and Maintenance line staff used 2,863 hours of paid time off (vacation, sick, compensatory), which is the equivalent of 1.38 full time employees (FTEs).

Preventative maintenance programs consist of activities including but not limited to: water main valve exercising, hydrant exercising and flushing, distribution sampling, sewer main cleaning, CCTV of sewer lines, and Fats, Oil and Grease inspections. Due to the complexity and age of the District's system, oftentimes the Operations and Maintenance crew spend a majority of their time making repairs to failing infrastructure and are not able to spend the needed time on preventative tasks. Due to the nature of preventative maintenance, by having sufficient staff to perform PM,

reactive maintenance repairs should decrease which tend to be much more costly than PM. Furthermore, when reactive maintenance is reduced, overtime and compensatory time tend to decrease, resulting in further savings.

The State is heightening its emphasis on preventative maintenance programs and are requiring agencies to have them in place to try to mitigate or prevent any water or sewer failures from occurring. The addition of two (2) FTE within Operations and Maintenance would help facilitate the District in meeting those requirements.

Environmental Review Compliance: None.

Financial Impact: Yes No Funding Source/Recap: Funding for these positions for Fiscal Year 2018-2019 will come primarily from cost savings from the currently unfilled positions of: Associate Engineer and Water Resources Analyst. The remaining funds will come from the Operations and Maintenance expenditure budgets for Marina Sewer and Ord Sewer (Attachment 1).

Other Considerations: The Board can decide to not approve the additional positions.

Material Included for Information/Consideration: Resolution No. 2018-58; Attachment 1 - funding breakdown worksheet; and, Attachment 2 - the System Operator I job description.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

October 15, 2018

Resolution No. 2018-58
Resolution of the Board of Directors
Marina Coast Water District
Approving Two (2) Full Time Equivalent Operator I Positions within the Operations and
Maintenance Department

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District” or “MCWD”), at a regular meeting duly called and held on October 15, 2018 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District’s potable water system is regulated under the State Water Resources Control Board, Division of Drinking Water, Permit No. 2710701; and,

WHEREAS, the District’s water system is comprised of approximately 162 miles of water pipe with eight potable well sites, eight water storage tanks and five booster pump stations; and,

WHEREAS, the District’s sanitary sewer system is regulated under the State of California Central Coast Regional Water Quality Control Board, Permit No. 3SSO 10287; and,

WHEREAS, the District’s sewer system is comprised of approximately 150 miles of sewer pipe, and twenty lift stations; and,

WHEREAS, the District’s Operations and Maintenance department is responsible for operating and maintaining both water and sewer systems; and,

WHEREAS, increasing regulations require more time to be spent on preventative maintenance to help prevent water and sewer failures; and,

WHEREAS, the Operations and Maintenance department is currently unable to perform all the needed hours of preventative maintenance due to staffing constraints within the department; and,

WHEREAS, the addition of two full time equivalent System Operator I positions will help assist the District in meeting regulations by giving the department more time to focus on preventative maintenance activities, thus reducing future system failures.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District hereby adopt Resolution No. 2018-58 to approve the addition of two full time equivalent System Operator I positions within the Operations and Maintenance department.

PASSED AND ADOPTED on October 15, 2018, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

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

Thomas P. Moore, President

ATTEST:

Keith Van Der Maaten, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2018-58 adopted October 15, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: October 15, 2018

Prepared By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Consider Adoption of Resolution No. 2018-59 to Approve Amendment No. 2 to the Professional Services Agreement with Akel Engineering Group, Inc. for the Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water

Staff Recommendation: Staff recommends that the Board of Directors adopt Resolution No. 2018-59:

1. Approving Amendment No. 2 to the Professional Services Agreement with Akel Engineering Group, Inc. to add the total dollar amount of \$52,059 for a not-to-exceed contract amount of \$530,468 to complete the Master Plans and Capacity Fee Study for Sewer, Water and Recycled Water; and,
2. Authorize the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

Background: *5-Year Strategic Plan Mission Statement – To provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

In 2016, the District engaged Akel Engineering Group, Inc. to prepare the master plans and capacity fee study for sewer, water and recycled water for the District. Akel commenced with the project work. Amendment 1 was for several changes in the progress and scope of the work that extended the master planning schedule. First, master planning work had to be set aside to update capital improvement cost estimates of the existing Capital Improvement Program for the rate study and approve new rates.

Second, preliminary design of future water system improvements to service ambitious growth projections from the Urban Water Management Plan led to larger pipelines, pumps, and tanks. In response, Akel was directed to use a straight-line growth projection of three percent. Additionally, the District's fire flow criteria contributed to the larger infrastructure. Area fire Departments did not want to reduce fire flow criteria so no reductions were gained in that respect but Akel was able to reduce operational storage capacity to 25% and still achieve the requisite 50% emergency storage capacity.

Discussion and Analysis: For the Ord Community, the Fort Ord Reuse Authority (FORA) Base Reuse Plan and General Plans by the County of Monterey, City of Marina, and City of Seaside, provide the underlying basis for the master plans. The FORA Water and Wastewater Oversight Committee (WWOC) is advisory to the FORA Board for the master plan of sewer and water facilities in the Ord Community. In addition, the master plans provide the basis for determining Capacity Charges for expansion of the system.

Akel presented draft planning information and capital improvements to the WWOC on August 15, 2018. FORA staff and WWOC Committee members provided comments and information on planned land uses that are not reflected on some of the land use jurisdictions General Plan maps. For example, the County swapped development and habitat preserve lands between East Garrison and Parker Flats.

Another aspect affecting the master plan capital improvements and capacity fees is the cap on new residential units until 18,000 new jobs are created on Fort Ord per the Base Reuse Plan. The FORA Capital Improvement Program for Fiscal Years 2018-19 through 2028-29 reflects the 6,160 residential unit cap in the development forecast.

The Amendment No. 2 scope and fee is based on the review comments from staff and the WWOC. In general the scope may be described as updating future land uses and allowable growth projections; additional Equivalent Dwelling Unit Analysis and meetings with the FORA WWOC; and updating water and sewer system evaluations for recommended improvements in the Capital Improvement Program. A more detailed scope, fee and updated schedule is included as an attachment to Amendment No. 2. The new completion date for this amendment is approximately February 28, 2019.

Environmental Review Compliance: California Environmental Quality Act (CEQA) review is part of the individual projects and not part of the Sewer, Water and Recycled Water Master Plans.

Financial Impact: Yes No Funding Source/Recap: Sufficient funds are available in the Engineering Consultants budget line.

Other Considerations: None

Material Included for Information/Consideration: Resolution No. 2018-59; and, Attachment 1 – Amendment No. 2.

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

Board Action

Motion By _____ Secoded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

October 15, 2018

Resolution No. 2018 – 59
Resolution of the Board of Directors
Marina Coast Water District

Approving Amendment No. 2 to the Professional Services Agreement with Akel Engineering Group, Inc. for Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on October 15, 2018, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, on November 21, 2016, the Board adopted Resolution No. 2016-66 that approved a Professional Services Agreement with Akel Engineering Group, Inc. for the Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water; and,

WHEREAS, on April 18, 2018, the General Manager approved Amendment No. 1 to the Professional Service Agreement with Akel Engineering Group, Inc. for scope, fee and schedule changes to update 2017 CIP construction costs for the rate study, review fire follow criteria with fire department officials and update the hydraulic model and storage analysis in the amount of \$14,694.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby reaffirm and authorize work on Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water; and,

BE IT FURTHER RESOLVED, to approve Amendment No. 2 to the Professional Services Agreement with Akel Engineering Group, Inc. for the scope and fee changes to develop and update existing and future land uses based on comments received and allowable growth projections for the Fort Ord Reuse Authority (FORA) Base Reuse Plan capital improvement program; Equivalent Dwelling Unit Analysis and meetings with the FORA Water and Wastewater Oversight Committee; Update Water and Sewer System Evaluations for recommended improvements in the Capital Improvement Program in the amount of \$52,059.00.

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

PASSED AND ADOPTED on October 15, 2018 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Thomas P. Moore, President

ATTEST:

Keith Van Der Maaten, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2018-59 adopted on October 15, 2018.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Staff Report

Agenda Item: 10-A

Meeting Date: October 15, 2018

Prepared By: Keith Van Der Maaten

Approved By: Keith Van Der Maaten

Agenda Title: Receive an Update Report on Hot Water Recirculation Issue within the Shea Homes

Staff Recommendation: The Board receive the staff report.

Shea Homes did not install an operating hot water circulation system during construction of some of the homes in the Dunes development as required by the District's Code Section 3.36.030. MCWD has been working with Shea to ensure they comply with their obligations in this matter and, as requested by the Board at the August 20, 2018 Board meeting, staff will continue to keep the Board informed of any further developments until the matter is resolved.

After researching several options, on August 28, 2018 Shea Homes presented MCWD with a letter regarding the proposed installation of a retrofit device (the Grundfos Comfort Valve) which, if properly installed, would result in a fully-functioning hot water recirculation unit. On August 31, 2018, MCWD sent Shea Homes a response letter confirming that because the retrofit results in an operable hot water recirculation unit, it would satisfy MCWD's Code in this regard. On September 19, 2018, the District sent another letter to Shea Homes confirming the support for the solution and requesting a schedule for the retrofit work (Attachment 1). As of the date of this staff report, we are still waiting for the schedule from Shea.

Additionally, the District received a public records request on this matter on September 25, 2018 and is in the process of responding to the request.

Attachments:

Attachment 1: Letter to Shea, September 19, 2018

Marina Coast Water District
Staff Report

Agenda Item: 10-B

Meeting Date: October 15, 2018

Prepared By: Kelly Cadiente

Approved By: Derek Cray

Agenda Title: Receive the 3rd Quarter 2018 MCWD Water Consumption and Sewer Flow Reports

Summary: The Board of Directors is requested to receive the 3rd Quarter 2018 MCWD Water Consumption and Sewer Flow Report. Quarterly water consumption reports of the Ord Community have been submitted to the Board since 2006 and are organized by land-use jurisdiction. Reports submitted since 2016 include the consumption information for Central Marina as well as an analysis of variances between current-year projected consumption and prior-year consumption.

This staff report normally includes tracking information on sewer flows through the Monterey One Water Agency's (M1W) Fort Ord and Marina pump stations. However, flow data was not available at time of publication of the staff report.

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

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

- The rainfall total for the 3rd quarter of 2018 (July, August, September) in Marina was 0.16 inches. The last significant rainfall received was in April.
- Marina's 2017-18 rain-year total (July '17 – June '18) was 11.56 inches. This past year's rainfall was 77% of the historical average annual amount (14.9 inches).
- The reference evapotranspiration rate in South Salinas for the 3rd quarter of 2018 was 16.70 inches. This measurement was only 0.06 inches above the historic quarterly average reading of 16.64 inches.