



# 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

HOWARD GUSTAFSON  
*President*

PETER LE  
*Vice President*

THOMAS P. MOORE  
WILLIAM Y. LEE  
JAN SHRINER

## Agenda

### Regular Board Meeting, Board of Directors

#### Marina Coast Water District

Marina Council Chambers

211 Hillcrest Avenue, Marina, California

Monday, November 2, 2015, 6:30 p.m. PST

*This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:30 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 28, 2015. 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) 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)
- 4) Marina Coast Water District vs. California-American Water Company, Monterey County Water Resources Agency, and Does 1 through 50, San Francisco Superior Court Case No. CGC-15-547125 (Complaint for Breach of Warranties, etc.)
- 5) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180839 (Petition for Writ of Mandate). Sixth District Court of Appeal Case No. H042742
- 6) Marina Coast Water District v, California State Lands Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180895 (Petition for Writ of Mandate)

- B. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Recycled Water Pipeline, Recycled Water  
Agency Negotiators: Peter Le and Howard Gustafson  
Negotiating parties: MRWPCA, MCWRA, MPWMD, City of Salinas, and others.  
Under Negotiation: Price and Terms

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

5. **Reportable Actions Taken During Closed Session** *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present, and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*
6. **Pledge of Allegiance**
7. **Oral Communications** *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*
8. **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 Draft Minutes of the Regular Board Meeting of October 19, 2015

**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. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-51 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between Marina Coast Water District and Shea Homes, LP, for the Dunes - 1C Phase 2 Development in Marina, CA

*Action: The Board of Directors will consider approving an Infrastructure Agreement with Shea Homes for the Dunes on Monterey Bay, 1C Phase 2.*

B. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-52 to Amend the FY 2015-2016 Capital Improvements Program Budget and Use of the 2006 Certificates of Participation Proceeds for the Central Marina Service Area

*Action: The Board of Directors will consider amending the FY 2015-2016 Capital Improvements Program budget and use of the 2006 Bond Proceeds for the Central Marina Service Area.*

C. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-53 to Approve Revisions to the Board Procedures Manual

*Action: The Board of Directors will consider approving revisions to the Board Procedures Manual.*

**10. Correspondence Received by the District, Directors and General Manager**

**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. MRWPCA Board Member Liaison

7. LAFCO Liaison
8. FORA
9. WWOC Report
10. JPIA Liaison
11. Special Districts Association

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

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

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

*Regular Meeting: Monday, November 16, 2015, 6:30 p.m.,  
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: November 2, 2015

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: *2015 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.*

Consent calendar consisting of:

- A) Approve the Draft Minutes of the Regular Board Meeting of October 19, 2015

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Other Considerations: The Board of Directors can approve this item or the Board can pull it and discuss.

Material Included for Information/Consideration: The draft minutes of October 19, 2015.

Action Required: \_\_\_\_\_Resolution      X   Motion    \_\_\_\_\_Review  
(Roll call vote is required.)

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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: November 2, 2015

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of October 19, 2015

Staff Recommendation: The Board of Directors approve the draft minutes of the October 19, 2015 regular Board meeting.

Background: *2015 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 October 19, 2015 are provided for the Board to consider approval.

Environmental Review Compliance: None required.

Financial Impact:  Yes  No Funding Source/Recap: None

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

Material Included for Information/Consideration: Draft minutes of October 19, 2015.

Action Required:  Resolution  Motion  Review

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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: November 2, 2015

Submitted By: Brian True

Approved By: Keith Van Der Maaten

Reviewed By: Michael Wegley

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-51 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between Marina Coast Water District and Shea Homes, LP, for the Dunes - 1C Phase 2 Development in Marina, CA

Staff Recommendation: The Board of Directors of the Marina Coast Water District authorize the General Manager to execute the Water, Sewer and Recycled Water Infrastructure Agreement between MCWD and Shea Homes, LP, for their Dunes - 1C Phase 2 Development and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, upon developer's completion as approved by the District Engineer, of:

1. Dunes Phase 1A - corrected easement(s) and quitclaim(s) and recordation of same in a form suitable to MCWD, a Bill-of-Sale, and a warranty bond from the developer in preparation for the MCWD Board's final acceptance, and
2. Dunes Phase 1B - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond and a separate payment and performance bond for the remaining work to be completed with future phase(s), and
3. Dunes – 1C Phase 1 - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond(s) and the ability to exonerate "Outage" and "Fast-Track" payment and performance bonds, and
4. An updated and current (with accurate estimated quantities and bid unit prices) Opinion of Probable Cost for Dunes – 1C Phase 2.

Background: *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.*

On January 10, 2007, the Board adopted Resolution No. 2007-03 approving an Infrastructure Agreement between Marina Community Partners, LLC and MCWD for the University Villages Development, Phases 1B and 1C.

Discussion/Analysis: The Board of Directors is requested to approve a Water, Sewer, and Recycled Water Infrastructure Agreement (hereafter referred to as the Infrastructure Agreement) between MCWD and Shea Homes, LP, for the Dunes - 1C Phase 2 (Dunes 1C2) development. The attached draft Infrastructure Agreement is based upon the most recent board-approved (June 2013) format used for other development groups within the MCWD service area.

The Dunes on Monterey Bay development (formerly known as University Villages) owned by Marina Community Partners, LLC is a fully entitled master development located on lands of the former Fort Ord in Marina and is within the land-use jurisdiction of the City of Marina. Shea Homes, LP, is the residential development partner within Marina Community Partners. The Dunes 1C2 development consists of the new construction of the underground utilities, roadways, and other infrastructure and appurtenances for the second residential phase of the master development project. The Dunes 1C2 area is roughly bounded by 2<sup>nd</sup> Avenue, 10<sup>th</sup> Street, 3<sup>rd</sup> Avenue, and 9<sup>th</sup> Street while the overall Dunes 1C is roughly bounded by 2<sup>nd</sup> Avenue, Imjin Parkway, 4<sup>th</sup> Avenue, and 8<sup>th</sup> Street.

The Dunes on Monterey Bay master development has received from the City an allocation of 593-AFY of potable water. Of that total allocated amount, the current proposed portion of the residential development (i.e. Dunes 1C2) will use an estimated 15.3 AFY of potable water. The proposed Dunes 1C2 phase consists of 88 residential lots within the overall Phase 1C. Additional homes will be constructed within the overall Phase C area in later phases.

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 Shea Homes. The specific infrastructure proposed for transfer includes PVC potable water pipelines, PVC recycled water pipelines (purple pipes), PVC gravity sewer pipelines, and associated sewer manholes, water valves, and other appurtenances. Some water and sewer infrastructure has been constructed by MCP in this area under previous Infrastructure Agreements.

The Phasing of the Dunes on Monterey Bay is unique in that the developer sub-phased the current Infrastructure Agreements in a different manner than their sub-phasing of the initial infrastructure bonds and their sub-phasing of the construction/improvements. The infrastructure bonds for the original “Phase 1” improvements were issued based on an 2006 Opinion of Probable Cost that no longer correlates to current infrastructure unit costs and quantities within each phase element receiving an Infrastructure Agreement.

The preference of District staff is to exonerate the old infrastructure bonds and replace them with warranty bonds for the work completed thus far and to receive new infrastructure bonds based on current values for the remaining “Phase 1” improvements. This includes Dunes 1C2 and the portion(s) of Phase 1B that won’t be completed until other development phases take place.

Certain infrastructure improvements for Phase 1A, Phase 1B and 1C Phase 1 are substantially complete. However, outstanding items of their Infrastructure Agreements remain to be finished before MCWD can accept ownership of the infrastructure and exonerate and replace the outstanding performance and payment bonds with warranty bonds as appropriate. It is staff’s view that approval of the Infrastructure Agreement for Dunes 1C2 should be conditioned upon completion of the following specific items and actions:

1. Dunes Phase 1A - corrected easement(s) and quitclaim(s) and recordation of same in a form suitable to MCWD, a Bill-of-Sale, and a warranty bond from the developer in preparation for the MCWD Board’s final acceptance, and
2. Dunes Phase 1B - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond and a



separate payment and performance bond for the remaining work to be completed with future phase(s), and

3. Dunes – 1C Phase 1 - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond(s) and the ability to exonerate “Outage” and “Fast-Track” payment and performance bonds, and
4. An updated current (with accurate quantities and bid unit prices) Opinion of Probable Cost for Dunes – 1C Phase 2.

To assist in reviewing this proposed draft Infrastructure Agreement (IA), please note the following:

- There are two documents provided – the first is the proposed draft IA with all Exhibits and the other is the Board-approved template of the IA document. The two documents are easily discernible by observing the content of the page-footer. The proposed IA document also has yellow highlights.
- The yellow highlights in the proposed IA document are to show the differences between the proposed IA and the template of the IA. All the additions (i.e. the differences that were added to the proposed IA document that are not within the template IA) are highlighted. The deletions (from the template) in the proposed IA may be discerned by the symbol of two underscores that are highlighted (appearance is  ).

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        X   No      Funding Source/Recap: There is no financial impact.

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

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

Material Included for Information/Consideration: Resolution No. 2015-51; draft Infrastructure Agreement; and, Board-approved template of the Infrastructure Agreement.

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

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

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

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

November 2, 2015

Resolution No. 2015 - 51  
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 Shea Homes, LP,  
for the Dunes - 1C Phase 2 Development in Marina, CA

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 2, 2015 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Shea Homes, LP, (“Developer”) has coordinated with the District on their Dunes - 1C Phase 2 Development, consisting of new construction and related infrastructure, within the City of Marina portion of the Ord Community; and,

WHEREAS, the City of Marina has allocated a portion of its former Fort Ord water supply allocation for the Developer’s use in developing the Dunes on the Monterey Bay (formerly University Villages) development project, 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, subject to the following conditions.

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 MCWD and Shea Homes, LP, for their Dunes - 1C Phase 2 Development and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, upon developer’s completion as approved by the District Engineer, of:

1. Dunes Phase 1A - corrected easement(s) and quitclaim(s) and recordation of same, in a form suitable to MCWD, a Bill-of-Sale, and a warranty bond from the developer in preparation for the MCWD Board’s final acceptance, and,
2. Dunes Phase 1B - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond and a separate payment and performance bond for the remaining work to be completed with future phase(s), and,
3. Dunes – 1C Phase 1 - completion of punch-list item(s), submittal of As-Builts, and preparation of a Bill-of-Sale that will allow the provision of a warranty bond(s) and the ability to exonerate “Outage” and “Fast-Track” payment and performance bonds, and,
4. An updated current (with accurate quantities and bid unit prices) Opinion of Probable Cost for Dunes – 1C Phase 2.

PASSED AND ADOPTED November 2, 2015, 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 \_\_\_\_\_

\_\_\_\_\_  
Howard Gustafson, 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. 2015-51 adopted November 2, 2015.

\_\_\_\_\_  
Keith Van Der Maaten, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: November 2, 2015

Submitted By: Michael Wegley

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-52 to Amend the FY 2015-2016 Capital Improvements Program Budget and Use of the 2006 Certificates of Participation Proceeds for the Central Marina Service Area

Staff Recommendation: The Board of Directors is requested to:

1. Adopt Resolution No. 2015-52 approving an amendment to the FY 2015-2016 Central Marina Capital Improvements Program Budget; and,
2. Approve the use of outstanding 2006 Certificates of Participation (COP) Proceeds for the Central Marina Service Area to fund the amendment; and,
3. Authorize the procurement of a New 300 KW Caterpillar Model C9 Diesel Standby Generator for the total amount of \$109,309.25 from Quinn Power Systems.

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

Each year, the District follows a budget development process that results in Board approval of the annual budget which includes a Capital Improvement Program (CIP). Annual update of the District's CIP program follows the same schedule. The current 5-year CIP budget was adopted on June 15, 2015.

When the District refinanced the 2006 COP in July of 2015, it certified that the unexpended funds would be used by June 30, 2016 and are thereby obligated to do so. Proceeds available for Marina Sewer and Ord Sewer are programmed to be expended by June 30, 2016. Taking into account the FY 2015-2016 budgeted Central Marina water capital improvement projects that can be expended by June 30, 2016, the 2006 COP Construction Funds available balance is \$1,015,447.

Discussion/Analysis: The attached Five-Year Central Marina Service Area water system CIP project list includes projects under way in the current FY 2015-2016 and those required in future years. Those needed in the next five years are shown with funding in the proposed FY column, and the remaining projects are shown in "Out Years" (beyond FY 2019-20) column. The Category column in the table indicates the project addresses an existing deficiency (E), a single development project (S), or multiple development projects (M).

The remaining 2006 COP Construction Fund proceeds for use to rehabilitate and replace existing water system deficiencies within the Central Marina service area total \$1,015,447. Projects for development projects or that are not fixed works, i.e. temporary, mobile or easily moved, are not

eligible. Central Marina CIP projects addressing existing deficiencies include replacement of aging SCADA, service mains which have failed in recent years, and a water storage tank for the A-Zone. The 2006 COP proceeds can be expended in time on the water system supervisory control and data acquisition (SCADA) equipment replacement.

The highest priority water system project remains an A-Zone water storage reservoir, located at an elevation which allows operational and fire flows to be met without pumping. However, property acquisition and design will not be completed in time to expend the funds by June 30, 2016 and the A-Zone reservoir has to be completed to provide adequate fire-flow for the A-Zone while Reservoir 2 is taken out of service for the repair and recoating project.

The Beach Road Pipeline is scheduled to occur between FY 2017-2019 and the Salinas Avenue Pipeline is scheduled for the “out years” (beyond 2019). Therefore, neither project will be able to be designed and constructed in time to use the COP proceeds. The other CIP’s will occur over a several year time frame or will not be in construction by the end of the fiscal year.

Two other possible repair and replacement capital improvement projects for the Board of Directors consideration to address existing system deficiencies that could be expended by June 30, 2016 are the:

- Dry-Barrel Fire Hydrant Replacement Project, Phase 1; and,
- Well 11 Emergency Generator Replacement Project

Dry-barrel fire hydrants in the Central Marina Service Area are currently an ongoing maintenance issue for the Operations and Maintenance Department and The Marina Fire Department. When these hydrants are exercised and flushed or used for fire suppression, they have a tendency to fail in the open position wasting water and creating flooding problems. Modern wet-barrel hydrants are installed with a breakaway spool and check valve that closes in the event the hydrant body is accidentally severed to prevent water waste and flooding. Wet-barrel hydrants also provide long term Operations and Maintenance costs savings and are more reliable for fire suppression. Dry-barrel hydrants are primarily used in cold climate areas subject to long periods of freezing. The first phase of the proposed Dry-Barrel Fire Hydrant Replacement Project budget is \$550,000. Design, construction management and inspection are proposed to be performed in-house for this project.

Well No. 11 is located at the southwest corner of Reservation Road and Salinas Avenue. The District currently has a portable emergency generator at this site with a manual transfer switch. This generator was originally placed in service in 1984 at the former Waste Water Treatment Plant before it was moved to Well No. 11. It overheats, most likely due to a warped or cracked head, and is beyond its useful service life. The old portable standby generator will be removed from inventory with installation of the new Well 11 emergency generator.

The proposed new generator will be fixed (not portable) on a concrete pad with an automatic transfer switch to reduce down time in the event of an electrical power outage. The proposed Emergency Generator Replacement Project budget is \$210,000. Site civil plans, construction management and inspections would be performed in-house. Electrical design plans and specifications would be prepared by a consulting electrical and structural engineer.

The longest lead-time for the generator replacement is permitting approval of the emergency generator by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). Waiting until after contract award for the contractor to order the generator and apply for the MBUAPCD permit leads to costly and extensive delays, potential change orders and redesign. Purchasing the generator and having the MBUAPCD permit prior to award of the construction contract with a contractor will result in tighter construction bids and eliminates costly delays and redesign change orders.

MCWD is a member of the National Joint Powers Alliance (NJPA). The NJPA is a public agency that serves a member-focused cooperative that evaluates, qualifies and solicits competitive bids on products and equipment such as the standby generator for over 50,000 member agencies nationally. Purchasing products, equipment and services through the NJPA network assures competitive bid pricing. NJPA bid, evaluated, selected and awarded Caterpillar alternative energy/generators.

The NJPA bid price for a generator with automatic transfer switch properly sized to serve Well No. 11 with tax is \$109,309.25 for a 300Kw Caterpillar Model C9 Diesel Standby Generator Set that lists for \$144,523.76 plus tax (Quotation attached). A MCWD purchased and furnished standby generator for contractor bid installation also eliminates potential mark-up and storage carrying costs a contractor would add if the purchase were part of the contractor's bid. Therefore, staff recommends selecting the generator for MBUAPCD permitting approval prior to contractor bidding of a District furnished generator.

Individual project budget sheets are attached for both of the proposed FY 2015-2016 projects.

Environmental Review Compliance: None required. Projects are addressed individually during design/construction.

Other considerations: Other possible actions for consideration of the Board:

1. Approve staff recommendations 1 and 2 only. Instead of contractors bidding to install the NJPA selected and MCWD furnished standby generator, the Board may consider including generator specifications for a generator as a contract bid item. As previously mentioned, not knowing the brand and model of a standby generator under this procurement method presents contractor carrying and storage costs as well as potential redesign and change order costs and delays awaiting MBUAPCD permitting approval; or,
2. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
3. Continue to a future meeting (date and time to be specified in the motion); or,
4. Deny the action.

Financial Impact:   X  Yes       No Funding Source/Recap: Available 2006 COP Construction Funds for Central Marina total \$1,015,447.

Allocation of the Bond proceeds for the amended Capital Improvement Budget will reduce the Central Marina Water Capital Reserve Balance to \$963,596 above the capital minimum balance required by the Board.

Material Included for Information/Consideration: Resolution No. 2015-52; Central Marina Five-Year CIP Budget, the SCADA Project Budget Sheet, Proposed Dry Barrel Fire Hydrant Replacement and Emergency Generator Replacement Project Budget Sheets, and the Emergency Diesel Generator Quotation.

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 \_\_\_\_\_

November 2, 2015

Resolution No. 2015-52  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending the FY 2015-2016 Capital Improvements Program Budget and  
the Use of 2006 Certificates of Participation Proceeds for  
the Central Marina Service Area

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 2, 2015, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the 2006 Certificates of Participation (COP) Construction Funds available only for Central Marina water capital spending total \$1,015,447; and,

WHEREAS, the District is legally obligated to use the outstanding COP Fund proceeds by June 30, 2016; and,

WHEREAS, the allocation of the Bond proceeds for the amended Capital Improvement Budget will reduce the Central Marina Water Capital Reserve Balance to \$963,596 above the capital minimum balance required by the Board; and,

WHEREAS, other suitable 5-year Central Marina Water Capital Improvement Projects will be unable to have funds encumbered by June 30, 2016; and,

WHEREAS, District staff have identified Dry-Barrel Fire Hydrant Replacement and Well 11 Emergency Generator Replacement as eligible Central Marina Capital Improvement Project Projects for the Central Marina 2006 COP Construction Funds necessary to meet capital expenditures for sound operation and provision of the water, recycled water and wastewater facilities and to enable the District to provide continued water, recycled water and sewer services within the existing service areas in Central Marina Community.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2015-52 amending the FY 2015-2016 Capital Improvements Program Budget; and,

BE IT FURTHER RESOLVED, to approve allocating 2006 COP Construction Fund Proceeds for the Central Marina Service Area for the addition of the Dry-Barrel Fire Hydrant Replacement Project in the amount of \$550,000 and the Well 11 Generator Replacement Project in the amount of \$210,000; and,

BE IT FURTHER RESOLVED, to authorize the procurement of a New 300 KW Caterpillar Model C9 Diesel Standby Generator and Automatic Transfer Switch for the total amount of \$109,309.25 from Quinn Power Systems.



PASSED AND ADOPTED on November 2, 2015 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 \_\_\_\_\_

\_\_\_\_\_  
Howard Gustafson, 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. 2015-52 adopted November 2, 2015.

\_\_\_\_\_  
Keith Van Der Maaten, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: November 2, 2015

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Adoption of Resolution No. 2015-53 to Approve Revisions to the Board Procedures Manual

Staff Recommendation: The Board of Directors approve the latest revisions to the Board Procedures Manual (BPM).

Background: *“2014 Strategic Plan Mission Statement – To provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.”*

The last revision to the BPM was April 20, 2015, when the Board approved, on a 3-2 vote, only Vice President Le and District Counsel’s revisions. On October 5, 2015, the Board requested the BPM be brought back with additional changes provided by Board members.

Discussion/Analysis: The changes were very extensive and staff is providing a copy of the BPM highlighting the changes made during the April 20<sup>th</sup> revision and additional requested changes following the October 5, 2015 Board meeting in track-change. There were also Director comments that were made and those are provided in a separate list along with the proposed changes.

Environmental Review Compliance: None required.

Financial Impact: \_\_\_\_\_Yes      X  No    Funding Source/Recap: None

Other Considerations: The Board of Directors can approve the suggested changes, or the Board can request that the BPM be brought back for further revisions.

Material Included for Information/Consideration: Resolution No. 2015-53; Highlighted version of the BPM showing the changes (the April 20, 2015 changes highlighted and additional changes in track change); and, a listing of all proposed changes and comments.

Action Required:      X   Resolution    \_\_\_\_\_Motion    \_\_\_\_\_Review  
(Roll call vote is required.)

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Board Action

Motion By \_\_\_\_\_    Seconded By \_\_\_\_\_    No Action Taken \_\_\_\_\_

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

Noes \_\_\_\_\_    Absent \_\_\_\_\_

November 2, 2015

Resolution No. 2015-53  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending 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 November 2, 2015 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 April 20, 2015; 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 suggested revisions to the BPM have been reviewed and approved 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 on November 2, 2015 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 \_\_\_\_\_

\_\_\_\_\_  
Howard Gustafson, 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. 2015-53 adopted November 2, 2015.

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Keith Van Der Maaten, Secretary