



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: [www.mcwd.org](http://www.mcwd.org)

TEL: (831) 384-6131 FAX: (831) 883-5995

**DIRECTORS**  
HOWARD GUSTAFSON  
*President*

WILLIAM LEE  
*Vice President*

THOMAS P. MOORE  
KENNETH K. NISHI  
DAN BURNS

## Agenda

### Regular Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California  
Tuesday, November 17, 2009, 5:30 p.m. PST

*This meeting has been noticed according to the Brown Act rules. The Board of Directors now meets regularly on the second Tuesday of each month. The meetings normally begin at 6:45 p.m. at the District offices at 11 Reservation Road, 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. Pledge of Allegiance

#### 4. Board Workshop

- A. Receive the Recommendations from the Ord Community Ad Hoc Committee and Discuss Annexation Regarding the Former Fort Ord Service Area  
(Page 1)

#### 5. Closed Session

- A. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: D/E Reservoir Site  
Negotiating Parties: MCWD, City of Seaside  
Under Negotiation: Lease Agreement or Quitclaim

**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, November 12, 2009 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. The next regular meeting of the Board of Directors is scheduled for December 8, 2009.**

- B. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: 5<sup>th</sup> Avenue Pump Station Site  
Negotiating Parties: MCWD and City of Marina  
Under Negotiation: Price and Terms
  
- C. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: Water Rights  
Negotiating Parties: MCWD and Clark Colony Water Company  
Under Negotiation: Price and Terms
  
- D. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: Existing Desalination Plant at 11 Reservation Road, Marina  
Negotiating Parties: MCWD and California American Water Company  
Under Negotiation: Price and Terms
  
- E. Pursuant to Government Code 54956.9(a)  
Conference With Legal Counsel--Existing Litigation  
Name of case: BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA In the Matter of the Application of California-American Water Company (U210W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates. Application 04-09-01

## **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. 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 three minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

## **8. Presentation**

- A. Consider Adoption of Resolution No. 2009-77 to Recognize Suresh Prasad, Director of Finance, and Awarding a Plaque and Gift Certificate for 10 Years of Service to the Marina Coast Water District  
(Page 8)
  
- B. Receive a Presentation from RMC Water and Environment on the Final Environmental Review for the Coastal Water Project

**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 three minutes.*

A. Appoint Mr. Jim Felton to the Water Conservation Commission

(Page 13)

B. Approve Expenditures for the Month of October 2009

(Page 16)

C. Approve the Draft Minutes of the Regular Board Meeting of October 21, 2009

(Page 21)

**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 three minutes.*

A. Consider Adoption of Resolution No. 2009-75 to Approve the Updated Landscape Incentive Program and to Allocate Additional Funding

*Action: The Board of Directors will consider updating the Landscape Incentive Program and allocating additional funding.*

(Page 28)

B. Consider Adoption of Resolution No. 2009-76 to Approve the Hot Water Recirculation System Rebate Program and Allocate Funds for the Program

*Action: The Board of Directors will consider approving the Hot Water Recirculation System Rebate Program and allocating funds for the program.*

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C. Consider Adoption of Resolution No. 2009-74 to Accept the Infrastructure Installed by FORA as a Portion of the General Jim Moore Boulevard - Phase IV Project and to Convey Certain Portions of that Infrastructure to California American Water Company

*Action: The Board of Directors will consider accepting the infrastructure installed by FORA as a portion of the General Jim Moore Boulevard - Phase IV Project and to convey certain portions of that infrastructure to California American Water Company.*

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**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 three minutes.*

A. General Manager's Report

B. District Engineer's Report

C. Counsel's Report

D. Committee and Board Liaison Reports

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

E. Director's Comments

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

*Regular Meeting:    Tuesday, December 8, 2009, 6:45 p.m.,  
11 Reservation Road, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 4-A

Meeting Date: November 17, 2009

Submitted By: Lloyd Lowrey/Brian True

Presented By: Brian True

Reviewed By: Jim Heitzman

Agenda Title: Receive and Discuss Annexation and the Recommendations from the Ord Community Ad Hoc Committee Regarding the Former Fort Ord

Detailed Description: On December 13, 2006, following LAFCO's adoption of the 2006 Municipal Services Review, the District Board gave direction to the General Manager to form an Ord Community Ad Hoc Committee (OCAC) with the following stipulations:

1. The Board agreed that the goal of the OCAC shall be to make recommendations to the District Board of Directors regarding annexation of the Ord Community to the District.
2. The OCAC will be made up of two elected members of the land use jurisdictions within the Ord Community (Cities of Seaside, Marina, Del Rey Oaks, and Monterey; County of Monterey; CSUMB, UCMBEST, and the US Army), one member and one alternate, including two members of the District's Board of Directors, one member and one alternate. The District's General Manager will serve as the secretary to this committee. Duties generally include scheduling meetings, preparing agendas, noticing meetings as appropriate and providing meeting minutes.
3. Allow the OCAC select its own Committee Chair.
4. The Board directed the OCAC may establish its own timeline in which to provide final recommendations.

The OCAC has been meeting since February 2007, and in November 2008, agreed upon a list of recommendations to be presented to the District Board. Since then, the Army has raised some questions:

1. Item 1.5 excludes non-incorporated Ord lands. Are the OMC/RCI Military Housing excluded from these recommendations?
2. The U.S. Army may prefer to have a single service provider with a fixed rate rather than multiple service providers with different rates.
3. The U.S. Army may have existing agreements for services. If so, these agreements should be stipulated as a footnote to any new policy decision by the MCWD Board. Doing so could avoid any potential confusion or controversy.

The Board asked staff to schedule a workshop to discuss the OCAC's recommendations and questions regarding the recommendations.

Environmental Review Compliance: None required.

Prior Committee or Board Action: At the December 13, 2006, Board meeting, the Board directed the General Manager to form an Ord Community Ad Hoc Committee. On December 23, 2008, the Board asked staff to schedule a workshop to discuss the OCAC's recommendations and questions regarding the recommendations.

Board Goals/Objectives: *2007/2008 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: Report and Recommendations of the Ord Community Ad Hoc Committee to the Marina Coast Water District Board of Directors.

Staff Recommendation: The Board of Directors discuss annexation and the OCAC's report and provide/receive answers to questions regarding the recommendations.

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: 8-A

Meeting Date: November 17, 2009

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2009-77 to Recognize Suresh Prasad, Director of Finance, and Awarding a Plaque and Gift Certificate for 10 Years of Service to the Marina Coast Water District

Detailed Description: Suresh Prasad joined the District on November 15, 1999. Suresh came from the private sector and he was immediately immersed into the public sector, and more specifically, the world of a California Special District. Because of his experience and desire and the District's needs, Suresh's job description was tailored to include oversight and responsibility for both financial and technology services management.

In his ten years with the District, Suresh has grown professionally and compiled a significant list of accomplishments that have led to direct improvements to customer services, information technology advancements, support to the Board of Directors and greater staff efficiencies. He led the thinking and planning to move the District from an outdated mainframe computer system to new hardware and software that greatly improved District operations. This, in turn, led to the ability to host new multi-functional products including email and file-sharing services between the District's two locations. He developed, won approval for and implemented the District Technology Plan with annual appendices. Suresh led the effort to research and implement the replacement of outdated finance and billing software. He also designed and installed the framework for the District's multi-jurisdiction billing software on a single system. His efforts also contributed to improving the District's annual budget process and produced user friendly budget formats. Suresh was also instrumental in proposing the Automated Meter Reading (AMR) System and helped the District design and implement the new AMR system.

In the past ten years Suresh was responsible for working with our auditing firms in the performance of annual audits of the District's complex financial documents. In all ten years the District received a clean audit report and Suresh and his staff was singled out by the auditors for their responsive professionalism. His primary focus remained fixed on improving services to our customers. To this end he continues to improve the District's web site, he developed and implemented more informative billing formats, and provided on-line capabilities for customers to interact with the District and their personal accounts. Finally, this year, Suresh and his staff helped the District qualify for a Certificate in Achievement for Excellence in Financial Reporting issued by the Government Finance Officers Association (GFOA). The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

It is with great pleasure that the District recognizes Suresh Prasad's ten years of service to the Marina Coast Water District, and wishes him well in his continued service to the District.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2007 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: All four cost centers – Hospitality and awards.

Material Included for Information/Consideration: Resolution No. 2009-77.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2009-77 in recognition of Suresh Prasad, Director of Finance, and awarding a plaque and gift certificate for 10 years of service to the Marina Coast Water District.

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



Resolution No. 2009-77  
Resolution of the Board of Directors  
Marina Coast Water District  
In Recognition of Mr. Suresh Prasad for  
10 Years of Service to the Marina Coast Water District

November 17, 2009

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 17, 2009 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Suresh Prasad joined the District on November 15, 1999 as Accountant/Accounting Supervisor; and,

WHEREAS, Suresh has compiled a significant list of accomplishments that have led to direct improvements to customer services, information technology advancements, support to the Board of Directors and greater staff efficiencies; and,

WHEREAS, Suresh led the effort to research and implement the replacement of outdated finance and billing software and the design and installation of the framework for the District’s multi-jurisdiction billing software on a single system; and,

WHEREAS, Suresh’s primary focus remains fixed on improving services to our customers. He continues to improve the District’s web site, billing formats, and on-line capabilities for customers to interact with the District and their personal accounts, as well as design and implementation of the Automated Meter Reading System; and,

WHEREAS, this year, Suresh and his staff helped the District qualify for a Certificate in Achievement for Excellence in Financial Reporting issued by the Government Finance Officers Association (GFOA). The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby express its gratitude and recognizes Suresh Prasad for ten years of service to the Marina Coast Water District, and wishes him continued success with the District.

PASSED AND ADOPTED on November 17, 2009, 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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Howard Gustafson, President

ATTEST:

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Jim Heitzman, 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. 2009-77 adopted November 17, 2009.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9

Meeting Date: November 17, 2009

Submitted By: Paula Riso

Presented By: Paula Riso

Reviewed By: Jim Heitzman

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of: A) Appoint Mr. Jim Felton to the Water Conservation Commission; B) Approve Expenditures for the Month of October 2009; and, C) Approve the Draft Minutes of the Regular Board Meeting of October 21, 2009.

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *2007/2008 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: 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: November 17, 2009

Submitted By: Rich Youngblood

Presented By: Rich Youngblood

Reviewed By: Jim Heitzman

Agenda Title: Appoint Mr. Jim Felton to the Water Conservation Commission

Detailed Description: The Water Conservation Commission is authorized nine positions of which seven are presently filled. The two vacant positions are public member vacancies. Mr. Jim Felton, resident of the City of Marina, has submitted an application to be appointed. The public positions are appointed for a term of two years.

Board of Directors Member (1):

Bill Lee  
Dan Burns (alternate)

City of Marina Council Member (1):

Jim Ford

Public Members (5):

Sid Williams  
Nathan Chaney  
Richard Newhouse  
Vacant (2)

Army Member (1):

Dennis Oaks

CSUMB Member (1)

Bob Brown

Environmental Review Compliance: None required.

Prior Committee or Board Action: On November 5, 2009, the Water Conservation Commission recommended forwarding the appointment of Mr. Jim Felton to the Board of Directors for consideration.

Board Goals/Objectives: *2007 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: Application for appointment to the Water Conservation Commission by Mr. Jim Felton.

Staff Recommendation: The Board of Directors appoint Mr. Jim Felton to the Water Conservation Commission.

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-B

Meeting Date: November 17, 2009

Submitted By: Suresh Prasad

Presented By: Suresh Prasad

Reviewed By: Jim Heitzman

Agenda Title: Approve Expenditures for the Month of October 2009

Detailed Description: The Board is requested to approve the attached October 2009 check register for expenditures totaling \$1,095,415.94.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2007/2008 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 five cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04- Ord Sewer, 05-New Water.

Material Included for Information/Consideration: October 2009 Summary Check Register.

Staff Recommendation: The Board of Directors approve the October 2009 expenditures totaling \$1,095,415.94.

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-C

Meeting Date: November 17, 2009

Submitted By: Paula Riso

Presented By: Paula Riso

Reviewed By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of October 21, 2009

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of October 21, 2009.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2007/2008 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 October 21, 2009.

Staff Recommendation: The Board of Directors approve the draft minutes of the October 21, 2009 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

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
October 21, 2009  
6:45 p.m.

**Draft Minutes**

1. Call to Order:

President Gustafson called the meeting to order at 6:45 p.m. on October 21, 2009.

2. Roll Call:

Board Members Present:

Howard Gustafson – President  
Bill Lee – Vice President  
Ken Nishi  
Dan Burns

Board Members Absent:

Tom Moore

Staff Members Present:

Jim Heitzman, General Manager  
Lloyd Lowrey, Legal Counsel  
Jean Premutati, Management Services Administrator  
Brian True, Interim District Engineer  
Suresh Prasad, Director of Finance  
Rich Youngblood, Conservation Coordinator  
Paula Riso, Executive Assistant

Audience Members:

Bob Holden, MRWPCA  
Jan Shriner, Marina Resident  
Vienna Merritt Moore, Marina Resident  
Andy Sterbenz, Schaaf & Wheeler  
Kurt Gonzalez, Marina Resident

The Board entered into closed session at 6:45 p.m.



3. Closed Session:

- A. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: D/E Reservoir Site  
Negotiating Parties: MCWD and City of Seaside  
Under Negotiation: Lease Agreement
  
- B. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator (General Manager, Legal Counsel)  
Property: Parcel of Land known as Sunset Place  
Negotiating Parties: MCWD, Residents, City of Marina  
Under Negotiation: Fee Title Ownership and Disposal

The Board ended closed session at 6:59 p.m.

President Gustafson reconvened the meeting to open session at 7:00 p.m.

4. Possible Action on Closed Session Items:

President Gustafson stated that no action was taken and direction was given on item 3-B.

5. Pledge of Allegiance:

Vice President Lee led everyone present in the pledge of allegiance.

6. Oral Communications:

None.

7. Consent Calendar:

Director Nishi pulled item 7-D.

Director Burns made a motion to approve the Consent Calendar consisting of items; A) Adopt Resolution No. 2009-71 to Consider an Amendment to the Marina Coast Water District's 457 Tax Deferred Compensation Plan Contract and Approve the Trust Agreement with Reliance Trust; B) Adopt Resolution No. 2009-72 to Reclassify the Temporary, Contract Utility Laborer to Regular, Full-Time Employee; C) Adopt Resolution No. 2009-73 to Approve the Lease of the Laserfiche Document Storage System; E) Approve Expenditures for the Month of September 2009; and, F) Approve the Draft Minutes of the Regular Board Meeting of September 22, 2009. Vice President Lee seconded the motion.

Agenda Item 7 (continued):

The motion was passed.

Director Moore	-	Absent	Vice President Lee	-	Yes
Director Nishi	-	Yes	President Gustafson	-	Yes
Director Burns	-	Yes			

- D. Adopt Resolution No. 2009-74 to Accept the Infrastructure Installed by FORA as a Portion of the General Jim Moore Boulevard – Phase IV Project and to Convey Certain Portions of that Infrastructure to California American Water:

Director Nishi asked clarifying questions regarding the Bill of Sale, the pipelines and laterals. Director Nishi asked if the District should own the laterals from General Jim Moore Boulevard to the former Fort Ord boundary and if the gate valve should be at the edge of the property line. Mr. Brian True, Interim District Engineer, answered that he would have to consult with District Counsel.

Director Burns suggested pulling this item and bringing it back next month with more information. President Gustafson directed staff to bring this item back in November.

8. Action Items:

- A. Consider Adoption of Resolution No. 2009-75 to Update the Landscape Incentive Program and Allocate Additional Funding:

Mr. Rich Youngblood, Conservation Coordinator, introduced this item. Director Nishi asked how it was determined that there was a savings of 5.6 acre-feet of water per year. Mr. Youngblood answered that meters were read. Director Nishi voiced his concern that new homeowners might have a tendency to replace the landscaping with lawn. He would rather see more funds available for the hot water recirculation program. Mr. Youngblood stated that he fully endorsed continuing this program as there is a potential for some significant water savings. Director Nishi suggested putting less into this program and more into the hot water recirculation program. Director Burns commented that it will take time for the savings to show.

Director Nishi asked to table this item until after item 8-B. President Gustafson agreed.

- B. Consider Adoption of Resolution No. 2009-76 to Approve the Hot Water Recirculation System Rebate Program and Allocate Funds for the Program:

Mr. Youngblood introduced this item explaining that there are no real figures right now on the savings for hot water recirculation systems. It will take time for those figures to be determined. Director Nishi commented that the reason for the money Seaside Highlands paid to the District is

Agenda Item 8-B (continued):

because they didn't put in recirculating pumps in some of the houses that were built. Director Nishi commented that the money was set aside for systems to be put into Central Marina and the District should implement what they said they would. Director Nishi stated the District needs to be progressive. If the District is looking to save water, artificial turf should be recommended more strongly. Director Nishi stated that he could support both projects but more funds should be available for the hot water recirculation program.

Director Burns commented that this program has a lot of costs involved with the plumbing, timer, pump, materials, and electricity. He doesn't see the program catching on too quickly and if extra funds are put aside for this program, they will just sit there. Director Burns asked to see a report showing how much water could be saved; the cost for electricity used; and, the cost of hot water heaters.

President Gustafson returned to agenda item 8-A.

Director Nishi suggested pulling these items until Director Burns' questions were answered.

The items were pulled and will return to the November meeting.

9. Staff Reports:

A. Receive 3<sup>rd</sup> Quarter 2009 Ord Community Water Consumption and Sewer Flows Report:

Director Nishi commented that this report shows the conservation effort is working.

B. Receive Update on the Current Status of the Stilwell Kidney Development Project:

Mr. True gave a brief presentation showing pictures of the Stilwell Kidney development.

10. Informational Items:

A. General Manager's Report:

Mr. Heitzman stated he had nothing to report.

B. District Engineer's Report:

Mr. True stated he had nothing to report.

C. Counsel's Report:

Mr. Lowery stated he had nothing to report.

D. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Burns stated he attended the meeting for Vice President Lee and the two recommendations from that meeting were before the Board tonight.

2. Joint City-District Committee:

President Gustafson stated there was no meeting held.

3. MRWPCA Board Member:

Director Nishi reported that on September 28th there was a wastewater allocation item concerning the District and after receiving public comment it will be brought back for consideration.

4. LAFCO Liaison:

Director Nishi stated the meeting is scheduled for next Monday.

5. JPIA Liaison:

No comments.

6. FORA:

Director Nishi stated the October meeting was canceled.

7. Executive Committee:

No comments.

8. Community Outreach:

President Gustafson commented that meetings are broadcast and the Water Conservation with their many rebate programs.

9. Ord Community Ad Hoc Committee:

President Gustafson asked to have this committee removed from the list.

10. Special Districts Association Liaison:

President Gustafson commented that Assembly member Simone Salinas was the guest speaker.

C. Director's Comments:

None.

11. Correspondence:

President Gustafson stated that correspondence was in the packet.

12. Adjournment:

The meeting was adjourned at 7:39 p.m.

APPROVED:

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Howard Gustafson, President

ATTEST:

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Jim Heitzman, General Manager

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-A

Meeting Date: November 17, 2009

Submitted By: Rich Youngblood, Paul Lord

Presented By: Rich Youngblood

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2009-75 to Approve the Updated Landscape Incentive Program and to Allocate Additional Funding

Detailed Description: The Board of Directors is requested to approve the updated Landscape Incentive Program and to allocate an additional \$30,000 from the KB Homes fund.

The program provides incentives to customers for retrofitting landscaping and inefficient irrigation equipment to water efficient plantings and irrigation controls. The Board of Directors approved \$20,000 to start the program which began in January 2008, and with this additional allocation, the total program budget will be \$50,000. The program has been updated to help clarify questions that have arisen since the program began.

As of this date, forty-two projects have been accepted. Thirty-three of those projects are single family residential, four are multifamily, and five are large landscapes. Seven projects have been suspended for lack of progress. Twenty-five projects have been completed and received rebates totaling \$9,228.34. Ten projects are in progress, encumbering an additional \$10,406.40 of the original \$20,000 fund which, when paid, will leave only \$365.26 available for new projects.

Through the completed projects, over 7,870 square feet of lawn has been removed and replaced with low water use alternatives. In excess of 9,800 square feet of sprinkler irrigation has been converted to more efficient drip irrigation. Thirteen rain switches and seven efficient irrigation controllers, operating 113 irrigation zones, have been installed.

The water savings of the sixteen completed projects older than six months is 5.6 acre-feet per year. The savings is equivalent to the annual water use of 16.8 single family homes. These sixteen projects received rebates totaling \$5,978.31. The one-time cost per acre-foot of water saved is \$1,067.56.

If approved, this resolution would update the program and increase the available funds for landscape incentive projects by allocating \$30,000 of the funds provided by K&B Homes to the Landscape Incentives Program operational budget. These funds were paid by K&B Homes as water conservation offset for not installing District-approved hot water recirculation systems in the model homes at the Seaside Highlands Development.

	Beginning Balance	Change	Ending Balance
From: K&B Homes Account	\$46,000	-\$30,000	\$16,000

Environmental Compliance Review: None required.

Prior Committee or Board Action: The Board approved and funded the Landscape Incentives Program in 2007 by allocating \$20,000 of the \$66,000 received from KB Homes as a result of a variance issued to the Seaside Highlands development, for failure to install hot water recirculation systems in the model homes as required by District standards. On October 1, 2009, the Water Conservation Commission recommended forwarding this item to the Board of Directors for approval. On October 21, 2009, the Board requested that staff return this item to the November 17, 2009 meeting with additional information.

Board Goals/Objectives: *2007/2008 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                     \_\_\_X\_\_\_ No

Funding Source Recap: Funding would be provided by the transfer of funds previously collected from KB Homes for a future conservation effort.

Material Included for Information/Consideration: Resolution No. 2009-75; and, Exhibit A – Updated Landscape Incentive Program.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2009-75 to approve the updated Landscape Incentive Program and to allocate an additional \$30,000 in funds.

Action Requested: \_\_\_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: \_\_\_\_\_

Resolution No. 2009-75  
 Resolution of the Board of Directors  
 Marina Coast Water District  
 Approving an Updated Landscape Incentive Program and Allocating Additional Funds

November 17, 2009

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 17, 2009 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District Board allocated \$20,000 to start the program which began in January 2008; and,

WHEREAS, staff has updated the Landscape Incentive Program to clarify questions that have arisen since the program began; and,

WHEREAS, additional District funding will need to be provided to continue the program; and,

WHEREAS, an additional allocation of \$30,000 will leave \$16,000 in funds received from KB Homes and bring the program total to \$50,000; and,

WHEREAS, the District seeks to conserve water resources in compliance with the District’s Water Conservation Ordinance and AB325 the Model Water Efficient Landscape Ordinance; and,

WHEREAS, the implementation and continuation of a landscape incentive program conserves water and assists in meeting the District’s goals regarding water conservation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the Updated Landscape Incentive Program and allocate an additional \$30,000 from the KB Homes fund:

	Beginning Balance	Change	Ending Balance
From: K&B Homes Account	\$46,000	-\$30,000	\$16,000

PASSED AND ADOPTED on November 17, 2009, 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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Howard Gustafson, President

ATTEST:

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Jim Heitzman, 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. 2009-75 adopted November 17, 2009.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-B

Meeting Date: November 17, 2009

Submitted By: Rich Youngblood

Presented By: Rich Youngblood

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2009-76 to Approve the Hot Water Recirculation System Rebate Program and Allocate Funds for the Program

Detailed Description: The Board of Directors is requested to approve the Hot Water Recirculation Program and allocate funds to begin the program.

The program provides an incentive to customers to retrofit existing homes with hot water recirculation systems to reduce water consumption. Water is wasted when customers turn on the hot water tap and allow water to run until it reaches the desired temperature. The amount of water wasted varies with a number of factors including the distance between the hot water heater and fixture where a demand is placed. This rebate will provide an incentive to retrofit a hot water recirculation system to reduce the wasted water.

The rebate provided will be up to \$250 per installation, not to exceed the cost of the pump being installed and materials. While this does not reimburse customers the entire cost of a retrofit which will vary from site to site, it provides an incentive for those who would consider doing so.

The effectiveness of hot water recirculation system retrofit programs depends on a multiple of factors, such as installation cost and water savings. The rebate and water savings could give a customer a pay back in 8.9 years. The one-time cost per acre-foot of water saved is \$10,000 an acre-foot.

This resolution would make available funds for Hot Water Recirculation System rebates by allocating \$6,000 of the funds provided by K&B Homes to the Hot Water Recirculation System rebate operational budget. These funds were paid by K&B Homes as water conservation offset for KB Homes' failure to install District-approved hot water recirculation systems in the model homes at the Seaside Highlands Development.

	<u>Beginning Balance</u>	<u>Change</u>	<u>Ending Balance</u>
From: K&B Homes Account	\$16,000	-\$6,000	\$10,000

Environmental Compliance Review: None required.

Prior Committee or Board Action: On September 22, 2009, the Board received a staff report on the Hot Water Recirculation System Program. On October 1, 2009, the Water Conservation Commission recommended forwarding this item to the Board of Directors for approval. On

October 21, 2009, the Board requested that staff return this item to the November 17, 2009 meeting with additional information.

Board Goals/Objectives: *2007/2008 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: Funding would be provided by allocating funds previously collected from KB Homes for a future conservation effort.

Material Included for Information/Consideration: Resolution No. 2009-76; and, Exhibit A - Hot Water Recirculation System Program.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2009-76 approving the Hot Water Recirculation System Program and allocating \$6,000 to fund the program.

Action Requested:  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: \_\_\_\_\_

Resolution No. 2009-76  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing the Hot Water Recirculation System Program  
and Allocating Funds for the Program

November 17, 2009

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 17, 2009 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District Board adopted the FY 2009/2010 Budget on July 9, 2009; and,

WHEREAS, the District’s FY 2009/2010 budget did not include a Hot Water Recirculation System Rebate Program; and,

WHEREAS, the District seeks to conserve water resources in compliance with the District’s Water Code; and,

WHEREAS, pursuant to the adoption of Resolution No. 2009-75, the District retains \$16,000 of the \$66,000 received in funds from KB Homes in 2004 as water conservation offset for KB Homes’ failure to install hot water recirculation systems per District standards in ten homes at the Seaside Highlands Development; and,

WHEREAS, the implementation of hot water recirculation system rebate program would conserve water and assist in meeting the District’s goals regarding water conservation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the Hot Water Recirculation System Program in Exhibit A and allocate \$6,000 to fund the program:

	<u>Beginning Balance</u>	<u>Change</u>	<u>Ending Balance</u>
From: K&B Homes Account	\$16,000	-\$6,000	\$10,000

PASSED AND ADOPTED on October 21, 2009, 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:

Jim Heitzman, 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. 2009-76 adopted, November 17, 2009.

Jim Heitzman, Secretary

## EXHIBIT A

### Hot Water Recirculation System Program Description

The District's Hot Water Recirculation System Program is designed to encourage customers to save water by not wasting water from the hot water system while waiting for the water at the point of use to reach an acceptable temperature.

The District will provide up to \$250 for the installation of a hot water recirculation system pump where none exists. The rebate will be equal to the purchase price of the pump and materials, not to exceed \$250.

The following steps must be completed by the property owner to eligible for a rebate.

1. The customer will submit an original receipt to verify the purchase price of the pump with a completed District Rebate Form, once the recirculation system is installed and is operational.
2. The recirculation system must have an operational timer and a thermostat regulating the recirculation pump hours and water temperature; or a demand control system.
3. The customer must request the rebate within one year of purchase of the pump. Receipts older than one year are not eligible.

The customer is subject to inspection to verify the installation of the pump, timer, and thermostat.

The rebate offer is dependent on availability of funds.

November 17, 2009

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-C

Meeting Date: November 17, 2009

Submitted By: Brian True

Presented By: Brian True

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2009-74 to Accept the Infrastructure Installed by FORA as a Portion of the General Jim Moore Boulevard - Phase IV Project and to Convey Certain Portions of that Infrastructure to the California American Water Company

Detailed Description: The Board of Directors is requested to authorize the General Manager to accept title to the newly installed potable water lines, sewer lines, and appurtenances constructed within the Fort Ord Reuse Authority's (FORA's) General Jim Moore Boulevard Phase - Phase IV (GJMB4) project. Concurrently, the Board of Directors is requested to authorize the General Manager to transfer the title to certain portions of the newly constructed potable water lines and appurtenances to the California American Water Company (CAW). The instrument to achieve the title transfers described is a Bill of Sale and drafts of the two needed documents are included herein for review.

The total installed value of the water and sewer infrastructure constructed by FORA on MCWD's behalf within the GJMB4 project is \$2,734,755. This amount appears on the appropriate Bill of Sale and transfers ownership of the infrastructure from FORA to the MCWD. The potable water component of the installed infrastructure has a value of \$2,691,755 while the sanitary sewer component of the installed infrastructure has a value of \$43,000.

On March 10, 2009, the Board approved Resolution No. 2009-03 that set the total project resource at \$2,935,000, an amount that included contingency resources intended for other District direct costs such as infrastructure design, engineering construction support, construction geotechnical work, and District Counsel guidance. The sum of the other-direct-costs utilized to achieve the project objectives was \$146,876, the largest fraction of this total being expended within design, construction support, and geotechnical contracting arrangements with Creegan & D'Angelo Infrastructure Engineers. The result achieved by the project is that the work was completed under-budget by \$53,369 (\$2,935,000 - \$2,734,755 - \$146,876).

The District has benefited from an agreement between MCWD and CAW that provides for joint use of the potable water pipeline facility. Within that joint use agreement, MCWD agreed to construct within the GJMB4 project certain sections of pipes and appurtenances for CAW's sole ownership and use. The total value of the infrastructure that needs to be transferred to CAW is \$434,134. Similar to the Bill of Sale that FORA is providing to MCWD, included for review is the draft Bill of Sale that MCWD is proposing to provide to CAW.

A provision of the joint use agreement with CAW is that CAW will contribute 49% of the total cost of the shared infrastructure installed with the GJMB4 project. Included for review is the current invoicing for this agreement provision submitted for CAW's payment. That invoice

shows that CAW's cost contribution for the facilities involved is \$1,590,353 which includes their share for MCWD labor costs and other direct costs. Since CAW provided an initial payment of \$1,300,000 during the summer of 2009, the invoice shows a balance owed to the District of \$290,353.

Acceptance of the infrastructure by the District entailed certain tasks be completed prior to that final acceptance, including:

- A final inspection and walk-through by the District personnel to verify completion of all punch-list items; and,
- Submission of acceptable As-Built drawings for the work; and,
- Transfer of title to the infrastructure to the District by means of a bill-of-sale.

The construction contractor and FORA completed the punch-list work in August, 2009. All MCWD assets are located within the public right-of-way or on former Army lands for which we have a documented right-of-entry. This is documented by As-built drawings for the installed water and sewer infrastructure accepted on October 19, 2009. If the proposed Resolution is approved by the Board, the transfer of title will be complete pending executing signatures.

Prior Board Action: Resolution No. 2008-53 on October 14, 2008 Authorizing Expenditure of the District's Share of Construction Costs for a 30-inch Potable Waterline Within the Fort Ord Reuse Authority's General Jim Moore Boulevard Phase IV Improvement Project Alignment; Resolution No. 2009-03 on March 10, 2009 Authorizing the Expenditure of an Increased Amount of Construction Costs to install a 30-inch Potable Waterline within the Fort Ord Reuse Authority's General Jim Moore Boulevard Phase IV Improvement Project Alignment; and Resolution No. 2009-06 on March 10, 2009 Approving a Water-Wheeling Agreement with California American Water Company. At the October 21, 2009 Board meeting, the Board directed staff to respond to a question from the Board and return this item for consideration at the regularly scheduled November Board meeting.

Board Goals/Objectives: *2007/2008 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.; and Goal No. 4 – To manage the District's finances in the most effective and fiscally responsible manner.*

Financial Impact:      Yes      No

Funding Source/Recap: The GJMB4 infrastructure costs were funded by the 2006-series bond proceeds and by CAW's fair share payments. The project work is identified in the approved FY 2008/2009 budget as CIP OW-124.

Material Included for Information/Consideration: Resolution No. 2009-74, Draft Bill of Sale from FORA to MCWD, Draft Bill of Sale from MCWD to CAW, and an invoice from MCWD to CAW with associated attachments.

Staff Recommendation: The Board of Directors adopt Resolution No. 2009-74 to accept the infrastructure installed by FORA as a portion of the General Jim Moore Boulevard - Phase IV



Project and to convey certain portions of that infrastructure to the California American Water Company.

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 \_\_\_\_\_

Resolution No. 2009-74  
Resolution of the Board of Directors  
Marina Coast Water District  
To Accept the Infrastructure Installed by FORA as a Portion of the General Jim Moore  
Boulevard - Phase IV Project and to Convey Certain Portions of that  
Infrastructure to the California American Water Company

November 17, 2009

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 17, 2009 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Board of Directors approved Resolution No. 2008-53 on October 14, 2008 authorizing an expenditure to fulfill the District’s financial obligation for funding construction costs for the 30-inch diameter potable waterline within the Fort Ord Reuse Authority’s (FORA’s) General Jim Moore Boulevard Phase IV Improvement Project alignment and the total authorized amount was to be \$2,650,000; and,

WHEREAS, the Board of Directors approved Resolution No. 2009-03 on March 10, 2009 authorizing expenditure of an increased amount of construction costs to install a 30-inch Potable Waterline within FORA’s General Jim Moore Boulevard Phase IV Improvement Project alignment and the total authorized increased amount was to be \$2,935,000; and,

WHEREAS, the Board of Directors approved Resolution No. 2009-06 on March 10, 2009 approving a Water-Wheeling Agreement with California American Water Company (CAW) that provided for cost sharing, joint use of infrastructure, and direct ownership of certain infrastructure constructed within FORA’s General Jim Moore Boulevard Phase IV Improvement Project alignment; and,

WHEREAS, FORA, CAW, and the District are desirous of executing the Bill of Sale drafts included herein as the instruments of title transfer; and,

WHEREAS, District staff finds that the project work is complete, the District is prepared to accept ownership of the installed infrastructure within FORA’s General Jim Moore Boulevard Phase IV Improvement Project, and the District is prepared to convey ownership of certain portions of the accepted infrastructure to CAW.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to accept for MCWD ownership the infrastructure within FORA’s General Jim Moore Boulevard Phase IV Improvement Project Authority, to convey ownership of certain portions of that infrastructure to CAW, and to execute all agreements and documents that give effect to this Resolution.

PASSED AND ADOPTED on November 17, 2009, 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:

\_\_\_\_\_  
Jim Heitzman, 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. 2009-74 adopted November 17, 2009.

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Jim Heitzman, Secretary