



**AGENDA  
FOR  
JOINT MEETING OF THE  
FORT ORD REUSE AUTHORITY AND  
MARINA COAST WATER DISTRICT BOARDS**

**3:00–3:30 PM, Friday, August 13, 2010**  
**FORA Conference Facility/Bridge Center**  
**201 13<sup>th</sup> Street, Building 2925, Marina (on the former Fort Ord)**  
(It is the policy of the FORA Board to adjourn no later than 6:00 pm.)

\*Govt. Code 54954(b)(3) allows a board to meet outside its jurisdictional boundaries to participate in meetings or discussions of multiagency significance, provided Brown Act notice is provided by all bodies subject to the Act.

1. **CALL TO ORDER AND ROLL CALL OF BOTH BOARDS - 3:00 PM TIME CERTAIN**
2. **PLEDGE OF ALLEGIANCE**
3. **ACKNOWLEDGEMENTS**
4. **PUBLIC COMMENT PERIOD:** Members of the audience wishing to address the Board on matters within the jurisdiction of the Authority but not on the agenda may do so during the Public Comment Period. You may speak for a maximum of three minutes on any subject. Public comments on specific agenda items will be heard at the time the matter is being considered by the Board.
5. **OLD BUSINESS** - none
6. **NEW BUSINESS**
  - a. Ord Community and Marina Water/Wastewater Systems Proposed Budgets and Rates for FY 2010-2011
    - (1) Presentation by Marina Coast Water District **INFORMATION**
    - (2) PUBLIC HEARING – Proposition 218 Notice **PUBLIC HEARING**
    - (3) FORA Board Approval of Resolution Nos. 10-10 and 10-11 Adopting a Compensation Plan and Setting Rates, Fees and Charges for Base-Wide Water, Recycled Water and Sewer **ACTION**
    - (4) Services on the Former Fort Ord MCWD Board Consider Adoption of Resolution Nos. 2010-58 and 2010-59 (Ord Community Budget and Compensation Plan) **ACTION**
7. **ANNOUNCEMENTS AND CORRESPONDENCE**
8. **ADJOURNMENT**

*Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the FORA Deputy Clerk at: 831-883-3672 \* 100 12<sup>th</sup> Street, Building 2880, Marina, CA 93933 or the MCWD offices 831-384-6131\* 11 Reservation Road, Marina, CA 93933 by 5:00 p.m. one business day prior to the meeting. Agendas can also be found on the FORA website: [www.fora.org](http://www.fora.org)*

# FORT ORD REUSE AUTHORITY BOARD REPORT

## NEW BUSINESS

<b>Subject:</b>	Ord Community and Marina Water/Wastewater Systems Proposed Budgets and Rates for FY 2010-2011	
<b>Meeting Date:</b>	August 13, 2010	<b>ACTION/INFORMATION</b>
<b>Agenda Number:</b>	6a	

### RECOMMENDATION:

1. Receive a Marina Coast Water District ("MCWD") fiscal year 2010-2011 operating and capital budgets presentation (**Attachment A**) for proposed water, recycled water and wastewater collection systems and corresponding water and wastewater collection systems customer rates , and
2. Conduct a public hearing on the proposed changes in monthly rates, fees and charges for MCWD service areas (**Attachment B**), and
3. **Fort Ord Reuse Authority ("FORA") Board of Directors** approve Resolutions #10-10 and #10-11 (**Attachment C**) adopting a compensation plan and setting rates, fees and charges for basewide water, recycled water and sewer services on the former Fort Ord, and
4. **MCWD Board of Directors** adopt Resolutions #2010-58 and #2010-59 (Ord Community Budget and Compensation Plan (**Attachment D**).

### BACKGROUND/DISCUSSION:

Following the May 1997 Fort Ord Reuse Authority ("FORA") Board selection of MCWD to operate and own both the former Fort Ord water and wastewater collection systems, MCWD began service in July 1997. Between July 1997 and October 2001, MCWD operated the systems under Cooperative Agreement with the U.S. Army that defined terms of their operations and funding. Since November 2001, MCWD has owned the systems following the Economic Development Conveyance (U.S. Army to FORA to MCWD) of the related real and personal property associated with the network. MCWD bills former Fort Ord customers according to FORA Board annually approved rates.

The Water and Wastewater Oversight Committee ("WWOC"), advisory to FORA on budgets and rates, met in March and April 2010 to receive presentations and to review/ recommend action on MCWD's proposed FY 2010/11 budgets and rates. On April 14, 2010 the WWOC unanimously recommended FORA Board approve the attached budgets and rates.

FORA staff and the WWOC recommend that the FORA Board receive the MCWD staff presentation and approve the adopting Resolutions. These Resolutions are provided to Board members in preparation for the MCWD presentation and requested Board action. To conserve resources, one copy of the budgets and rates package is provided - *please note it is referenced /appended to both resolutions.*

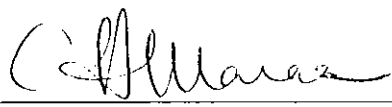
### FISCAL IMPACT:

Reviewed by FORA Controller 

Staff time for this item is included in the approved FY 10-11 budget.

### COORDINATION:

WWOC. Administrative Committee, Executive Committee, MCWD

Prepared by   
Crissy Maras

Approved by   
Michael A. Houlemard, Jr.

**Ord Community Water/Wastewater Systems**

**Compensation Plan**

**for FY 2010-2011**

**presented to**

**Fort Ord Reuse Authority**

**Board of Directors**

**August 13, 2010**

**by**

**Marina Coast Water District**



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## Draft FY 2010-2011 Ord Community Service Area Budget Summary

Introduction. The purpose of this summary is to provide an overview of the FY 2010-2011 Budget document and the key assumptions used in developing this Budget document.

In, accordance with Article 7 of the Water Wastewater Facilities Agreement between Marina Coast Water District (MCWD) and Fort Ord Reuse Authority (FORA), the District maintains separate cost centers to ensure that revenues and expenses are appropriately segregated and maintained for the Marina systems, the Ord Community systems, and the accruing costs for the Regional Water Augmentation Project. On October 25, 2006, the MCWD Board adopted Ordinance No. 43 which also requires the cost centers to remain separated after the expiration of the Agreement between MCWD and FORA.

District costs that are not dedicated to a specific cost center are shared among the four primary cost centers – Marina Water, Marina Wastewater Collection, Ord Community Water and Ord Community Wastewater Collection. General overhead costs are also allocated in this manner which, in turn, creates efficiencies and cost savings for administrative functions for the two service areas that would otherwise not be realized. The District uses the operating expenses ratio to allocate the shared expenses. The allocation rate for the proposed fiscal year has changed based on previous year (FY 2008-2009) audited expenditure figures.

The FORA Board adopts the Ord Community budgets by resolution before MCWD Board adopts the entire budget, also by resolution.

A five-year financial plan and rate study was completed in 2008 and recommendations from the rate study are incorporated in this budget document.

### Cost Centers:

- Marina Water
- Marina Wastewater Collection (Sewer)
- Ord Community Water
- Ord Community Wastewater Collection (Sewer)
- New Water Project

### Assumptions:

- Revenues (proposed rate increase of 7.8%):
  - Ord Community Water \$4.569 million
  - Ord Community Wastewater Collection \$1.773 million
- Expenses:
  - Ord Community Water \$4.545 million
  - Ord Community Wastewater Collection \$1.101 million
  - New Water Project \$0.417 million

- Debt Service on existing loans (principal/interest):
  - Ord Community Water \$1.017 million
  - Ord Community Wastewater Collection \$0.434 million
  - New Water Project \$0.325 million
  
- Capital Replacement Reserve Fund:
  - Ord Community Water \$0.200 million
  - Ord Community Sewer \$0.100 million

Ord Community Water Rates (monthly):

	FY 2009-2010	FY 2010-2011
Meter Service Charge	\$15.13	\$16.31
First Tier (0-8 hcf)	2.06	2.22
Second Tier (8-16 hcf)	2.89	3.12
Third Tier (16+ hcf)	3.73	4.02
Flat Rate Billing	74.58	80.40
Average Monthly bill (13 units)	\$46.06	\$49.67

Ord Community Wastewater Collection Rates (monthly):

	FY 2009-2010	FY 2010-2011
Monthly Flat Fee Bill	\$22.60	\$24.36

Capacity Charge:

- Ord Community Water Capacity Charge \$5,750\* per equivalent dwelling unit
  - Ord Community Wastewater Collection Capacity Charge \$2,150 per equivalent dwelling unit
- \* Ord Community water capacity charge includes future contributions from FORA towards RUWAP Project

Monthly Capital Surcharge\*:

- Ord Community Water Monthly Capital Surcharge for NEW Customers (\$20.00 per EDU)
  - Ord Community Wastewater Monthly Capital Surcharge for NEW Customers (\$5.00 per EDU)
- \* Monthly Capital Surcharge applies to all new customers effective July 2005.

Capital Improvement Programs:

- Ord Community Water \$10.941 million
- Ord Community Wastewater Collection \$2.032 million
- New Water Project \$35.271 million

District Overhead:

- Support for a staff of 40 positions:
  - Administration – 11
  - Operations & Maintenance – 18
  - Laboratory – 2
  - Conservation – 2
  - Engineering – 7

**ORD COMMUNITY  
WATER & WASTEWATER SYSTEM  
RATES, FEES and CHARGES  
FY 2010 - 2011  
Effective August 13, 2010**

**Water Consumption Charge**

0 - 8 hcf	First Tier	2.22	per hcf
8 - 16 hcf	Second Tier	3.12	per hcf
16+ hcf	Third Tier	4.02	per hcf
	Monthly Capital Surcharge (New EDU)	20.00	per EDU
	Flat Rate	80.40	per unit

**Monthly Minimum Water Charges**

<u>Size</u>	<u>Fee</u>
5/8" or 3/4"	16.31 per month
1"	40.76 per month
1 1/2"	81.50 per month
2"	130.39 per month
3"	244.49 per month
4"	407.48 per month
6"	814.96 per month
8"	1,629.93 per month

**Monthly Minimum Sewer Charges**

Monthly Wastewater Charge	24.36	per EDU
Monthly Capital Surcharge (New EDU)	5.00	per EDU

**Temporary Water Service**

Meter Deposit Fee	\$650.00
Hydrant Meter Fee (Set/Remove Fee)	\$140.00 one time fee
Hydrant Meter Fee (Relocate Fee)	\$140.00 per occurrence
Minimum Monthly Service Charge	\$72.73 per month
Estimated Water Consumption Deposit	\$1,100.00 minimum

**Repair, Replacement and Maintenance of Private Fire Hydrants (Monthly Charge)**

Single/Double Outlet, All Sizes	\$13.50 per month
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**Capacity Charges**

Water	\$5,750.00 per edu
Sewer	\$2,150.00 per edu



**MARINA & ORD COMMUNITY  
WATER & WASTEWATER SYSTEM  
RATES, FEES and CHARGES  
FY 2010 - 2011  
Effective August 13, 2010**

**Labor Charges**

General Manager	\$180.09 per hour
Deputy General Manager/District Engineer	\$112.51 per hour
Senior Engineer	\$94.59 per hour
Capital Projects Manager	\$74.00 per hour
Associate Engineer	\$67.32 per hour
Assistant Engineer	\$34.90 per hour
Engineering Administrative Assistant	\$47.41 per hour
O&M Superintendent	\$79.95 per hour
Assistant O&M Superintendent	\$81.69 per hour
Operations & Maintenance System Operator 3	\$66.54 per hour
Operations & Maintenance System Operator 2	\$59.94 per hour
Operations & Maintenance System Operator 1	\$46.89 per hour

**Equipment Charges**

Work Truck	\$20.00 per hour
Backhoe Tractor	\$30.00 per hour
Vactor Truck	\$30.00 per hour
Dump Truck	\$30.00 per hour
Ground Penetrating Radar Uit	\$10.00 per hour

**Miscellaneous Charges**

Photocopy Charges	\$0.10 per copy
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**Water Meter Installation Fee**

(includes box and meter)

Size	Fee
5/8" or 3/4"	\$350.00
1"	\$400.00
1 1/2"	\$450.00
2"	\$700.00
3" or Larger	

Actual direct and indirect cost to district.

Advance payment to be based on estimated cost.

**Other Fees and Charges**

Preliminary Project Review Fee (large projects)	\$500.00
Plan Review Fees:	
Existing Residential Modifications	\$200.00 per unit plus additional fees
Existing Commercial Modifications	\$400.00 per unit plus additional fees
Plan Review	\$500.00 per unit plus additional fees
Water/Sewer Permit Fee	\$30.00 each
Small Project Inspection Fee (single lot)	\$400.00 per unit
Large Project Inspection Fee (large projects)	\$500.00 per unit plus 3% of water & sewer construction cost
Building Modification/Addition Fee	\$200.00 per unit
Deposit for a Meter Relocation	\$200.00 deposit, plus actual costs
Mark and Locate Fee (USA Markings)	\$100.00 first mark and locate at no-charge, each additional for \$100
Backflow/Cross Connection Control Fee	\$45.00 per device
Additional Backflow/Cross Connection Device	\$30.00 per device
Deposit for New Account	\$35.00 per edu
Meter Test Fee	\$15.00 for 3/4" meter, actual cost for 1" and larger
Returned Check Fee	\$15.00 per returned item
Basic Penalty	10% of the delinquent amount
Additional Penalty	1.50% per month of the delinquent amount

# **Ord Community Water System**

**MARINA COAST WATER DISTRICT  
ORD COMMUNITY WATER SYSTEM OPERATIONS  
PROPOSED BUDGETS**

**EXHIBIT W-1**

	<b>Adopted Budget Ord Community Water Expenses FY 2009-2010</b>	<b>Proposed Budget Ord Community Water Expenses FY 2010-2011</b>
<b>Administration/Management</b>		
Personnel	\$722,600	\$676,570
Expenses	\$664,500	\$647,280
Insurance	\$57,700	\$55,300
Legal	\$47,500	\$57,500
Interest Expense	\$484,000	\$689,800
subtotal	\$1,976,300	\$2,126,450
<b>Operations &amp; Maintenance</b>		
Personnel	\$753,637	\$979,650
Maintenance Expenses	\$155,025	\$161,900
Power Costs	\$443,200	\$437,750
Annual Maintenance	\$50,000	\$50,000
subtotal	\$1,401,862	\$1,629,300
<b>Laboratory</b>		
Personnel	\$147,314	\$152,880
Equipment/Expenses	\$37,300	\$39,489
Lab Contract Services	\$14,400	\$21,000
subtotal	\$199,014	\$213,369
<b>Conservation</b>		
Personnel	\$122,709	\$125,750
Expenses	\$61,605	\$64,370
subtotal	\$184,314	\$190,120
<b>Engineering</b>		
Personnel	\$352,639	\$314,860
Expenses	\$8,360	\$15,032
Outside Consultants	\$48,000	\$56,000
subtotal	\$408,999	\$385,892
<b>Total Operating Expenses</b>	<b>\$4,170,489</b>	<b>\$4,545,131</b>

	B	G	L	M	W	X	Y	Z	AA	AB
3	<b>Marina Coast Water District</b>								<b>EXHIBIT W-2</b>	
4	<b>5-Year Capital Spending Plan</b>									
5										
6										
7	<b>CIP #</b>	<b>Project Description</b>	<b>Original Cost</b>	<b>JAN 2010 Cost</b>	<b>FY 10/11 Proposed</b>	<b>FY 11/12 Proposed</b>	<b>FY 12/13 Proposed</b>	<b>FY 13/14 Proposed</b>	<b>FY 14/15 Proposed</b>	<b>OUT YEARS</b>
49		<b>Ord Community Water 03-00-160-000</b>								
51		<b>FY 2009/2010 (Active Projects)</b>								
53	OW-0122	Replace D & E Reservoir Off-Site Piping	140,000	161,300	167,752					
54	OW-0119	Replace D & E Reservoir (Demolition phase) [CIP No. 4.04, 3.07]	actual	8,300,000	150,000					
55	OW-0128	Lightfighter "B" Zone Pipeline Extension (Design)	75,000	86,400	89,856					
56	OW-0202	South Boundary Road Pipeline (DRO In-Tract) (20% allocation for up-sizing, if needed)	1,317,000	1,516,900	315,515					
57	OW-0170	Well 34 (deep aquifer at Well 32 site) (Construct)	1,650,000	1,650,000	1,544,400					
58	OW-0207	Fire Flow Improvements -- Residential Fire Flow @ 3rd Ave	207,500	265,400	276,016					
59	OW-0117	18" UCMBEST Mitigation Monitoring Program	109,000	109,000	33,000	18,000				
60	GW-0201	2010 -- Urban Water Mgmt. Update	300,000	300,000	168,480					
61	GW-0200	Integrated Regional Water Management Plan - Update	100,000	100,000	56,160					
62	WD-0115	SCADA System Improvements - Phase I	500,000	500,000	265,200					
63	NA	Basewide Environmental Insurance [50% OW, 50% OS]	20,658	20,700	10,764	11,195	11,642	12,108		
64		<b>FY 2010/2011 (Planned Year)</b>								
66	OW-116	Eastern Distribution System (Prop 50 funded) Well 34 Design and Construct	6,712,610	7,787,619	720,000					
67	OW-116	Eastern Distribution System (Prop 50 funded) Watkin Gate Well and Distribution Pipe; 1st Year - Design and Co	6,712,610	7,787,619	4,139,474	2,649,235				
68	GW-0211	Beach Intake Well - vault removal	40,000	40,000	24,128					
69	WD-0201	IOP Building I (FORA)	3,000,000	3,000,000	1,591,200					
70	WD-0202	IOP Building II	1,800,000	1,800,000	954,720					
71	WD-0200	Long-Term Facilities Planning	120,000	120,000	63,648					
72	WD-0106	Corp Yard (Demolition/Construct)	450,000	450,000	238,680					
74	OW-0167	2nd Ave extension to Gigling Rd	170,850	196,800		212,859				
75	OW-0128	Lightfighter "B" Zone Pipeline Extension (Construct)	231,000	266,100		287,814				
76	GW-0112	"A1/A2" Zone Tanks & B/C Booster Sta @ CSUMB; 1st Year - Design, 2nd Year - Construct	6,684,000	7,698,500		674,463	3,974,832			
77	WD-0115	SCADA System Improvements (Security Increase)	300,000	300,000			172,104			
78	OW-0200	Surplus Area 2 Pipelines	773,000	890,400		963,057				
79	OW-0206	Inter-Garrison Road Pipeline Replacement (in lieu of ASP booster until B tanks installed); 1st Year - Design, 2nd	600,000	600,000			162,240	506,189		
80	WD-0110	Asset Management Program - Phase II	255,000	255,000		140,662				
81	WD-0110	Asset Management Program -- Phase III	250,000	250,000			143,420			
82	OW-0201	Gigling Transmission from D Booster to JM Blvd	93,960	120,200			135,209			
83	OW-0127	Fire Flow Improvements -- Commercial on CSU; 1st Year - Design, 2nd Year - Construct	488,000	624,200			105,321	620,692		
84	OW-0203	7th Avenue and Gigling Rd; 1st Year - Design, 2nd Year - Construct	171,000	218,800			36,918	217,570		
85	OW-0118	"B4" Zone Tank @ East Garrison (+ Demolish Travel Camp Tank); 1st Year - Design, 2nd Year - Construct	1,898,050	2,186,200			368,877	2,173,913		
86	OW-0204	2nd Ave connection, Reindollar to Imjin	1,000,000	1,000,000				1,169,859		
87	OW-0205	Demolish Bayview Reservoir	150,000	191,900				224,496		
88	OW-0169	Intergarrison Road PRV	122,000	140,600				164,482		
89	OW-0166	CSU Fireflow Improvements	96,000	110,600				129,386		
90	OW-0208	Fire Flow Improvements -- Commercial Fire Flow to Stockade	461,000	589,700				689,866		
91	OW-0209	Fire Flow Improvements -- Residential Fire Flow between UV and Seaside Gateway	142,500	182,300				213,265		
92	OW-0164	Reservation Rd to Imjin Main Improvements (2,800 lf of 12"); 1st Year - Design, 2nd Year - Construct	379,000	436,600					531,191	552,438
93	GW-0123	"B2" Zone Tank @ CSUMB; 1st Year - Design, 2nd Year - Construct	1,610,000	1,854,400					182,749	1,035,578
94	OW-0131	Abrams Road Pipeline in CSU East Housing Area; 1st Year - Design, 2nd Year - Construct	114,570	146,600					26,754	157,671
95	GW-0112	"A2" Zone Tank @ CSUMB; 1st Year - Design, 2nd Year - Construct	1,610,000	1,854,400					338,424	1,994,446
96	OW-0165	Rehabilitate/Replace Well 29 & TCE Treatment; 1st Year - Design, 2nd Year - Construct	1,158,000	1,481,100					270,298	1,592,954
97	OW-0210	Sand Tank Demolition; 1st Year - Design, 2nd Year - Construct	288,000	331,800					60,553	356,858
98	GW-0210	Reservoir A3 (1.6 MG); 1st Year - Design, 2nd Year - Construct	2,301,000	2,650,300					261,184	1,539,245
99	OW-0211	Eastside Road (D-Zone pipeline); 1st Year - Design, 2nd Year - Construct	2,300,000	2,300,000					2,798,302	2,910,234
100	OW-0212	Reservoir "D2"; 1st Year - Design, 2nd Year - Construct	2,375,000	2,735,500					519,192	2,942,088
101	OW-0129	Rehabilitate Well 31; 1st Year - Design, 2nd Year - Construct	1,177,500	1,506,100					274,860	1,619,842
102	OW-0214	Imjin Road, Reservation to Imjin Pkwy realignment; 1st Year - Design, 2nd Year - Construct	700,000	806,300					147,148	867,193
103	OW-0215	Booster Station @ UCMBEST Add'l Pump Cap.; 1st Year - Design, 2nd Year - Construct	1,140,000	1,313,100					239,638	1,412,267
104	OW-0171	Eucalyptus Rd Pipeline	1,735,000	1,998,400						2,528,614

	B	G	L	M	W	X	Y	Z	AA	AB
3	<b>Marina Coast Water District</b>								<b>EXHIBIT W-2</b>	
4	<b>5-Year Capital Spending Plan</b>									
5										
6										
7	<b>CIP #</b>	<b>Project Description</b>	<b>Original Cost</b>	<b>JAN 2010 Cost</b>	<b>FY 10/11 Proposed</b>	<b>FY 11/12 Proposed</b>	<b>FY 12/13 Proposed</b>	<b>FY 13/14 Proposed</b>	<b>FY 14/15 Proposed</b>	<b>OUT YEARS</b>
105	OW-0121	"C2" to "B4" Pipeline and PRV Station	1,037,000	1,194,400						1,511,297
106	OW-0213	Reservoir B4/B5 to East Garrison Pipeline	188,000	216,600						274,068
107	OW-0216	UCMBEST Pipeline	296,500	341,600						432,233
108	OW-0217	Imjin Road @ Airport Area	1,000,000	1,151,800						1,457,394
109	OW-0218	Golf Boulevard Transmission Line	796,000	916,900						1,160,171
110	OW-0219	"B5" Zone Tank @ East Garrison	2,301,000	2,650,300						3,353,475
111	OW-0220	Blanco/Imjin Connector - road project pending change	473,000	473,000						598,496
112	OW-0221	Reservoir B Supply Line	194,490	248,800						314,811
113	OW-0XXX	Eastern Well Field - ROLLUP thru well 39 (Includes Well 33 Phases 2 and 3)Need to split out)	26,081,390	30,186,100						38,195,046
114	OW-0XXX	Eastern Well Field - ROLLUP thru well 43 (Need to split out)	20,238,000	23,423,000						29,637,567
115	GW-0300	Ord Water Master Plan	250,000	250,000			281,216			
116										
117		<b>TOTAL - Ord Community Water</b>			<b>10,808,993</b>	<b>5,119,524</b>	<b>5,735,728</b>	<b>5,615,637</b>	<b>5,650,293</b>	<b>96,443,988</b>
208										
209	<b>New Water Projects 05-00-160-000</b>									
211	<b>FY 2009/2010 (Active Projects)</b>									
213	RW-0156	Recycled Pipeline, GJMB, Coe to South Boundary (Construction) (in road shoulder)	1,550,000	1,785,300	1,856,712					
214	RW-0156	Recycled Trunk Main and Booster, MRWPCA to Normandy (Design)	400,000	427,400	444,496					
215	RW-0155	RUWAP Project Management [90% split]	1,000,000	1,000,000	936,000					
216	NA	Technical Proving and Outreach	500,000	500,000	220,000					
217	RW-0155	Armstrong Ranch Annexation (Program Mgmt; Prelim Des; Env. Doc) [90% split]	142,000	142,000	117,912					
218	GW-0157	RUWAP Desalination - Detailed Design (Armstrong Ranch alt) [90% split, 29% MCWD share]	6,940,000	7,414,000	2,012,456	2,092,954				
219	<b>FY 2010/2011 (Planned Year)</b>									
221	RW-0156	Recycled Trunk Main and Booster, MRWPCA to Normandy (Construction)	21,325,000	22,785,600	23,697,024					
222	RW-0156	Blackhorse Reservoir	5,387,500	5,756,500	5,986,760					
224	GW-0157	Regional Desalination - Construction (Armstrong Ranch alt) [90% split]	34,220,000	36,557,000		37,009,488				
225	RW-0156	Construction -- Recycled Water Facilities [25% first yr, 75% second yr]	37,000,000	42,615,900		11,523,339	35,952,819			
226	RW-0156	Recycled Laterals-Ord	6,192,000	6,616,100			7,442,213			
227	RW-0156	Recycled Main thru Marina Heights (upsized)	2,397,600	2,561,900			2,881,789			
228	RW-0156	Recycled Lateral thru University Villages (upsized)	1,440,000	1,538,700				1,800,061		
229	RW-0159	Marina Airport / Imjin Road Recycled Water Pipeline (design)	2,150,000	2,297,300				403,127		
230	RW-0159	Marina Airport / Imjin Road Recycled Water Pipeline (construct)	2,150,000	2,297,300					2,375,764	
231	RW-0300	Recycled Water Master Plan	100,000	100,000						126,532
232										
233										
234		<b>TOTAL - New Water Projects</b>			<b>35,271,360</b>	<b>50,625,782</b>	<b>46,276,821</b>	<b>2,203,189</b>	<b>2,375,764</b>	<b>126,532</b>

**MARINA COAST WATER DISTRICT  
ORD COMMUNITY WATER SYSTEM OPERATIONS  
REVENUE PROJECTIONS**

**EXHIBIT W-3**

		<b>Adopted FY 2009-2010</b>	<b>Proposed FY 2010-2011</b>
	<b>Number of water services</b>		
	# Flat Rate Customers	2,354	1,200
	# Metered Customers	2,015	2,988
	Total Customers	4,369	4,188
	<b>Annual Water Usage (in AF)</b>		
	Metered use	1,310	1,650
	Unmetered use / Losses	1,350	800
	Total Water Usage	2,660	2,450
	<b>Monthly Service Charges</b>		
	Flat Rate Billing	\$74.58	\$80.40
	Metered Service Charge - 3/4" Meter	\$15.13	\$16.31
	<b>Monthly Quantity Rates</b>		
	Tier 1 (0-8 hcf)	\$2.06	\$2.22
	Tier 2 (8 - 16 hcf)	\$2.89	\$3.12
	Tier 3 (16+ hcf)	\$3.73	\$4.02
	Monthly Capital Surcharge (per EDU)	\$20.00	\$20.00
	<b>Annual Revenue Calculations</b>		
	Flat Rate Accounts	1,990,000	1,203,000
	Metered Accounts	2,420,000	3,170,000
	Capacity Fee (\$2,800 per EDU)	40,000	40,000
	Capital Surcharge Revenue	7,200	72,000
	Other Fees & Charges	56,300	84,500
A	Total Operating Revenue	\$4,513,500	\$4,569,500
B	Financing	9,495,999	10,808,993
D	Non-operating Revenue (Interest Income)	432,000	90,000
E	<b>TOTAL REVENUE (A through D)</b>	<b>\$14,441,499</b>	<b>\$15,468,493</b>
F	Operating Expenditures	3,828,489	4,203,131
G2	CIP Projects	9,495,999	10,808,993
G3	General Capital Outlay	108,800	132,200
I	Costs for Bond Issuance	0	0
J1	Debt Service	309,933	327,234
K	Capital Replacement Reserve Fund	200,000	200,000
L	<u>Payments to Land Use Jurisdictions/FORA</u>		
	Reimb. to Land Use Agencies (5% of OR)	110,000	110,000
	FORA Admin/Liaison Fees	25,000	25,000
	Reimbursements to FORA (5% of OR)	170,000	170,000
	Mmbrshp on FORA Bd. of Directors (1% of OR)	37,000	37,000
M	<b>TOTAL EXPENDITURES (F through L)</b>	<b>\$14,285,221</b>	<b>\$16,013,558</b>
	<b>USE OR RESERVES</b>	<b>\$0</b>	<b>\$545,065</b>
	<b>NET REVENUE (E-M)</b>	<b>\$156,278</b>	<b>\$0</b>

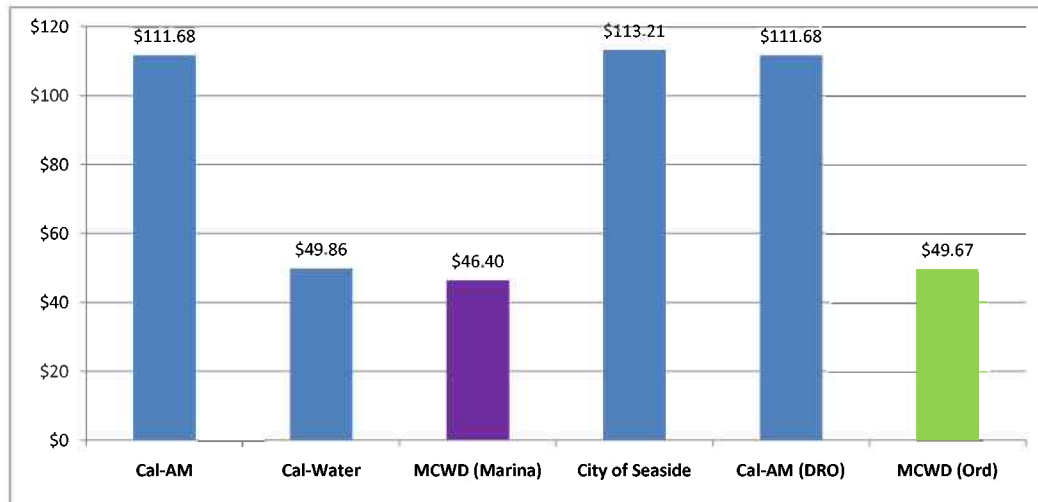
MONTHLY WATER RATES FOR REGION SURROUNDING THE ORD COMMUNITY

Revised August 3, 2010

TYPE OF FEE	CAL-AM <sup>1</sup>	California Water Service Company	Proposed MCWD City of Marina <sup>2</sup>	City of Seaside	City of Del Rey Oaks (Cal-Am)	Proposed MCWD Ord Community <sup>3</sup>	Median Rates
Quantity Rate per 100 cu.ft.							
1st tier	\$2.7520	\$1.8048	\$2.08	\$3.44	\$2.7520	\$2.22	\$2.49
2nd tier	\$4.0070	\$1.8998	\$2.53	\$7.44	\$4.0070	\$3.12	\$3.56
3rd tier	\$8.0150	\$2.1278	\$4.62	\$12.06	\$8.0150	\$4.02	\$6.32
4th tier	\$16.0290			\$17.19	\$16.0290		\$16.03
5th tier	\$28.0510			\$23.60	\$28.0510		\$28.05
6th tier				\$30.78			\$30.78
Breakpoint for 1st tier	400	600	800	400	400	800	500
Breakpoint for 2nd tier	800	1,200	1,600	1,000	800	1,600	1,100
Breakpoint for 3rd tier	1,200	1800+	1600+	2,000	1,200	1600+	1,600
Breakpoint for 4th tier	1,600			3,000	1,600		
Breakpoint for 5th tier	2,000 +			4,000	2,000 +		
Breakpoint for 6th tier				4,000 +			
Meter Service Charge per month							
3/4-inch	\$10.77	\$23.11	\$17.11	\$18.63	\$10.77	\$16.31	\$16.71
Service Charge (hcf)	0.9765	0.200			0.9765		\$0.98
Service Charge (monthly)	9.8100	0.370			9.8100		
Surcharges	3.28	-0.575			3.28		\$3.28
<b>For illustrative purposes only, monthly rates based on 13 hcf/month, or 0.358 acre feet/year</b>	<b>\$111.68</b>	<b>\$49.86</b>	<b>\$46.40</b>	<b>\$113.21</b>	<b>\$111.68</b>	<b>\$49.67</b>	<b>\$67.41</b>

- 1. Zone 1 \$0.2671 per ccf; Zone 2 \$0.4643
- 2. Proposed rates effective as of July 1, 2010.
- 3. Proposed rates effective as of July 1, 2010.

MONTHLY WATER RATES FOR REGION SURROUNDING THE ORD COMMUNITY - 13 hcf



**2009 Ord Community Water Consumption vs. Allocation (in Acre Feet per year)**

EXHIBIT W-5

Entity	2008 Consumption	2009 Consumption	Fort Ord Reuse Plan Allocation (AFY)	% of
<b>OMC</b>				
Nonresidential	39	45		
Residential	130	124		
Residential (e)	410	410		
Irrigation	39	39		
<b>Subtotal</b>	<b>618</b>	<b>618</b>	<b>1,577.0 (1) (4)</b>	<b>39%</b>
Construction Water - Army	4	40		
<b>CSUMB</b>				
Main Campus	53	52		
CSUMB Housing (metered)	16	221		
CSUMB Housing (e)	380	159		
CSUMB Irrigation	35	35		
CSUMB Irrigation (e)	95	95		
<b>Subtotal</b>	<b>579</b>	<b>562</b>	<b>1,035.0</b>	<b>54%</b>
<b>UC MBEST</b>	2	2	230.0	
<b>County</b>	37	4	710.0 (7)	
<b>County/State Parks</b>	0	0	45.0	
<b>Cty/Del Rey Oaks</b>	0	0	242.5 (6)(7)	
<b>Cty/Monterey</b>	0	0	65.0	
<b>Cty/Marina (Sphere)</b>	0	0	10.0	
<b>Subtotal</b>	<b>39</b>	<b>6</b>	<b>1,302.5</b>	<b>0%</b>
<b>Seaside</b>				
Golf Course	1	1		
MPUSD	127	94		
Brostrom	66	64	85.0 (4)	
Thorson	64	60	120.0 (3)	
Seaside Highlands	205	178		
Monterey Bay Land, LLC	0	0	114.0 (5)	
Other	5	7	693.0 (7)	
<b>Subtotal</b>	<b>468</b>	<b>404</b>	<b>1,012.0 (4)</b>	<b>40%</b>
Construction Water - Seaside	20	27		
<b>Marina</b>				
Preston/Abrams	186	195		
Airport	5	8		
Other	118	69		
<b>Subtotal</b>	<b>309</b>	<b>272</b>	<b>1,325.0 (7)</b>	<b>21%</b>
Construction Water - Marina	14	18		
<b>Total</b>	<b>2,051</b>	<b>1,947</b>	<b>6,251.5</b>	<b>31%</b>
Assumed Line Loss	218 (8)	129 (8)	348.5 (7)	
Total Extracted	2269	2076		
Reserve	4331	4524	0 (7)	
<b>Total</b>	<b>6600</b>	<b>6600</b>	<b>6,600</b>	

**Notes:**

(e) indicates water use is estimated; meters are not installed.

**Footnotes:**

(1) The 1996/1998 FORA Board Allocation Plan reflects 1410 afy that considers future conservation on the POM Annex. The OMC's current reservation of 1577 afy reflects the decrease of 38 afy and 114 afy (see footnote [4]) from the original 1729 afy. The FORA Board has not yet revised the allocation numbers to reflect this change.

(3) The Sunbay/Thorson property was given its own allocation (120 afy) as part of the transfer of real estate from the US Army to the Southwest Sunbay Land Company.

(4) Seaside's original allocation of 710 afy was augmented by 38 afy by agreement with the OMC and Brostrom, and by 114 afy under final terms of the land exchange agreement among the City of Seaside, Monterey Bay Land, LLC and the US Army.

(5) 114 afy of Monterey Bay Land, LLC controlled potable water includes the proviso that the City of Seaside shall use no less than 39 afy of such water for affordable or workforce housing.

(6) The FORA Board approved an additional 17.5 afy for Del Rey Oaks on 05/13/2005.

(7) In January 2007, the FORA Board changed the 150 afy interim use loans to Marina, Seaside, Del Rey Oaks and Monterey County in October 1998 to add to their permanent allocations.

(8) Line loss figures include water transferred from Ord to Marina system through the inter-tie. The transferred numbers are tracked in the SCADA system and will be repaid back to Ord from Marina over time.



# **Ord Community Wastewater System**

**MARINA COAST WATER DISTRICT  
ORD COMMUNITY WASTEWATER SYSTEM OPERATIONS  
PROPOSED BUDGETS**

	<b>Adopted Budget Ord Community Wastewater Expenses FY 2009-2010</b>	<b>Proposed Budget Ord Community Wastewater Expenses FY 2010-2011</b>
<b>Administration/Management</b>		
Personnel	\$211,800	\$189,310
Expenses	\$102,800	\$95,660
Insurance	\$16,200	\$15,500
Legal	\$13,300	\$16,100
Interest Expense	\$242,000	\$257,700
subtotal	\$586,100	\$574,270
<b>Operations &amp; Maintenance</b>		
Personnel	\$213,640	\$230,490
Maintenance Expenses	\$39,445	\$52,200
Power Costs	\$62,250	\$62,900
Annual Maintenance	\$30,000	\$30,000
subtotal	\$345,335	\$375,590
<b>Engineering Department</b>		
Personnel	\$123,421	\$94,480
Expenses	\$2,906	\$1,510
Outside Consultants	\$16,800	\$54,800
subtotal	\$143,127	\$150,790
<b>TOTAL</b>	<b>\$1,074,562</b>	<b>\$1,100,650</b>

	B	G	L	M	W	X	Y	Z	AA	AB
3	<b>Marina Coast Water District</b>								<b>EXHIBIT W-2</b>	
4	<b>5-Year Capital Spending Plan</b>									
5										
6										
7	<b>CIP #</b>	<b>Project Description</b>	<b>Original Cost</b>	<b>JAN 2010 Cost</b>	<b>FY 10/11 Proposed</b>	<b>FY 11/12 Proposed</b>	<b>FY 12/13 Proposed</b>	<b>FY 13/14 Proposed</b>	<b>FY 14/15 Proposed</b>	<b>OUT YEARS</b>
156		<b>Ord Community Sewer 04-00-000-000</b>								
158		<b>FY 2009/2010 (Active Projects)</b>								
160	OS-0153	Misc. Lift Station Improvements; 1st year - Planning/Design, 2nd year - Construct	2,158,700	2,330,900		504,220	2,097,556			
161	OS-0150	East Garrison LS Imps (Construct)	800,000	863,900	898,456					
162	WD-0115	SCADA System Improvements Phase I	500,000	500,000	62,400					
163	NA	Basewide Environmental Insurance [50% OW, 50% OS]	20,658	20,700	10,764	11,195	11,642	12,108		
164										
165		<b>FY 2010/2011 (Planned Year)</b>								
167	OS-0200	Clark LS Improvement (Construct)	350,000	350,000	364,000					
168	WD-0201	IOP Building I (FORA)	3,000,000	3,000,000	374,400					
169	WD-0202	IOP Building II	1,800,000	1,800,000	224,640					
170	WD-0200	Long-Term Facilities Planning	120,000	120,000	14,976					
171	WD-0106	Corp Yard (Demolition/Construct)	450,000	450,000	56,160					
173	OS-0147	Ord Village Sewer Pipeline & Lift Station Impr Project; 1st year - Planning, 2nd year - Design, 3rd year - Construct	555,000	599,300		64,820	67,413	560,877		
175	OS-0154	Del Rey Oaks -- Collection System (Planning)	50,000	50,000		54,080				
176	WD-0110	Asset Management Program - Phase II	255,000	255,000	33,097					
177	WD-0110	Asset Management Program -- Phase III	250,000	250,000			33,746			
178	GS-0200	Odor Control Project (Design/Construct)	100,000	100,000			69,742			
179	WD-0115	SCADA System Improvements (Security Increase)	300,000	300,000			40,495			
180	OS-0202	DRO LS, Gravity Sewer Main and GJMB Improvements Phase II (Design) 1st year - Design, 2nd year - Construct	8,984,000	10,677,900			1,801,678	10,617,888		
181	OS-0152	Booker, Hatten, Neeson LS Improvements Project; 1st year - Design, 2nd year - Construct	400,000	432,000			72,891	429,572		
182	OS-0203	Giggling LS and FM Improvements; 1st year - Design, 2nd year - Construct	1,470,400	1,587,700			267,892	1,578,777		
183	OS-0204	CSUMB Developments (Design) [9,14,18]1st year - Design, 2nd year - Construct	65,295	70,600				82,592		
184	OS-0204	CSUMB Developments (Construct) [9,14,18]	370,005	399,600					486,174	
185	OS-0205	Imjin LS & Force Main Improvements -- Phase I; 1st year - Design, 2nd year - Construct	1,750,000	1,981,500			334,338	1,970,364		
186	OS-0148	Marina Heights Sewer Pipeline Improvements Project (design) [6,21]1st year - Design, 2nd year - Construct	583,000	629,500				110,464		
187	OS-0148	Marina Heights Sewer Pipeline Improvements Project (construct) [6,21]	583,000	629,500					651,001	
188	OS-0149	Univeristy Villages Sewer Pipeline Replacement Projects (design) [7,11,12,15]1st year - Design, 2nd year - Construct	329,400	355,700				62,418		
189	OS-0149	Univeristy Villages Sewer Pipeline Replacement Projects (construct) [7,11,12,15]	329,400	355,700					367,849	
190	OS-0206	Fitch Park Sewer Improvements	88,400	95,500					116,190	
191	OS-0207	Seaside Resort, East & Affordable Housing Sewer Imps. Project; 1st year - Design, 2nd year - Construct	232,500	251,100				293,751		
192	OS-0207	Seaside Resort, East & Affordable Housing Sewer Imps. Project (Construct) [1,2,3]	232,500	251,100					305,502	
193	OS-0151	Cypress Knolls Sewer Pipeline Improvements Project (Design)1st year - Design, 2nd year - Construct	10,440	11,300					13,748	
194	OS-0151	Cypress Knolls Sewer Pipeline Improvements Project (Construct)	59,160	63,900						80,854
195	OS-0208	Parker Flats Collection System (Design)1st year - Design, 2nd year - Construct	100,000	100,000					18,250	
196	OS-0208	Parker Flats Collection System (Construct)	100,000	100,000						107,552
197	OS-0209	Imjin LS & Force Main Improvements -- Phase II (Design)1st year - Design, 2nd year - Construct	500,000	566,200					103,330	
198	OS-0209	Imjin LS & Force Main Improvements -- Phase II (Construct)	500,000	566,200						608,960
199	OS-0210	1st Ave Sewer Pipeline Replacement Project [2020]	285,200	308,000						389,718
200	OS-0211	Gen'l Jim Moore Sewer Pipeline Replacement Project [2020]	34,800	37,600						47,576
201	OS-0212	Gen'l Jim Moore Sewer Pipeline Replacement Project III [2020]	131,000	141,500						179,043
202	OS-0213	MRWPCA Buy-In	8,300,000	8,300,000						10,502,148
203	OS-0300	Ord Wastewater Master Plan	200,000	200,000			224,973			
204										
205		<b>TOTAL - Ord Community Sewer</b>			<b>2,005,796</b>	<b>667,412</b>	<b>5,022,366</b>	<b>15,718,810</b>	<b>2,062,044</b>	<b>11,915,851</b>

**MARINA COAST WATER DISTRICT  
ORD COMMUNITY WASTEWATER SYSTEM OPERATIONS  
PROJECTED NET REVENUE**

**EXHIBIT WW-3**

		<b>Adopted FY 2009-2010</b>	<b>Proposed FY 2010-2011</b>
	Estimated # of EDU's	5,340	5,860
	Flat Rate Billing per EDU	\$22.60	\$24.36
	Monthly Capital Surcharge (per EDU)	\$5.00	\$5.00
	Annual Revenue - Flat Rate Billing	1,448,000	1,715,000
	Capacity Fee (\$2,150 per EDU)	20,000	30,000
	Capital Surcharge Revenue	800	10,000
	Other Fees & Charges	9,800	17,800
A	Total Operating Revenue	1,478,600	1,772,800
B	Financing	115,284	2,005,796
C	Non-Operating Revenue (Interest Income)	146,000	27,000
<b>D</b>	<b>TOTAL REVENUE (A+B+C)</b>	<b>\$1,739,884</b>	<b>\$3,805,597</b>
E1	Operating Expenditures	1,062,562	1,088,650
F1	CIP Projects	115,284	2,005,796
F2	General Capital Outlay	16,800	26,400
F3	Costs for Bond Issuance	0	0
F4	Debt Service (principal)	171,285	176,114
G	Capital Replacement Reserve Fund	100,000	100,000
H	Reimb. To Land Use Agencies (5% of OR)	12,000	12,000
<b>I</b>	<b>TOTAL EXPENDITURES (E through H)</b>	<b>\$1,477,931</b>	<b>\$3,408,960</b>
<b>J</b>	<b>NET REVENUE (D-I)</b>	<b>\$261,953</b>	<b>\$396,637</b>

MONTHLY WASTEWATER COLLECTION RATES FOR REGION SURROUNDING THE ORD COMMUNITY

Revised March 3, 2010

SERVICE DESCRIPTION	City of Pacific Grove <sup>1</sup>	City of Monterey <sup>2</sup>	City of Salinas <sup>3</sup>	SCSD City of Seaside <sup>4</sup>	SCSD City of Del Rey Oaks <sup>5</sup>	Proposed MCWD City of Marina <sup>6</sup>	Proposed MCWD Ord Community <sup>7</sup>
Residential - per Living Unit	\$22.20	\$5.18	\$4.20	\$7.97	\$7.97	\$8.30	\$24.36
Business - 15 employees	\$30.71	\$7.17	\$5.81	\$11.02	\$11.02	\$12.45	\$36.54
Church - over 100 members	\$30.71	\$7.17	\$5.81	\$11.02	\$11.02	\$8.30	\$24.36
Laundromat - each washing machine	\$12.40	\$2.89	\$2.35	\$4.45	\$4.45	\$4.98	\$14.62
General Hospital - each bed	\$33.95	\$7.93	\$6.42	\$12.18	\$12.18	\$6.64	\$19.49
Motel/hotel - each room	\$9.16	\$2.14	\$1.73	\$3.29	\$3.29	\$2.08	\$6.09
Restaurant - each seat	\$3.98	\$0.93	\$0.75	\$1.43	\$1.43	\$0.58	\$1.71
High School/University - each student/faculty	\$0.37	\$0.09	\$0.07	\$0.13	\$0.13	\$0.58	\$1.71
Supermarket - 30 Employees	\$144.95	\$33.85	\$27.42	\$52.02	\$52.02	\$24.90	\$73.08

<sup>1</sup>Rate is 185% of MRWPCA rate

<sup>2</sup>Rate is 43.2% of MRWPCA rate

<sup>3</sup>Rate is 35% of MRWPCA rate

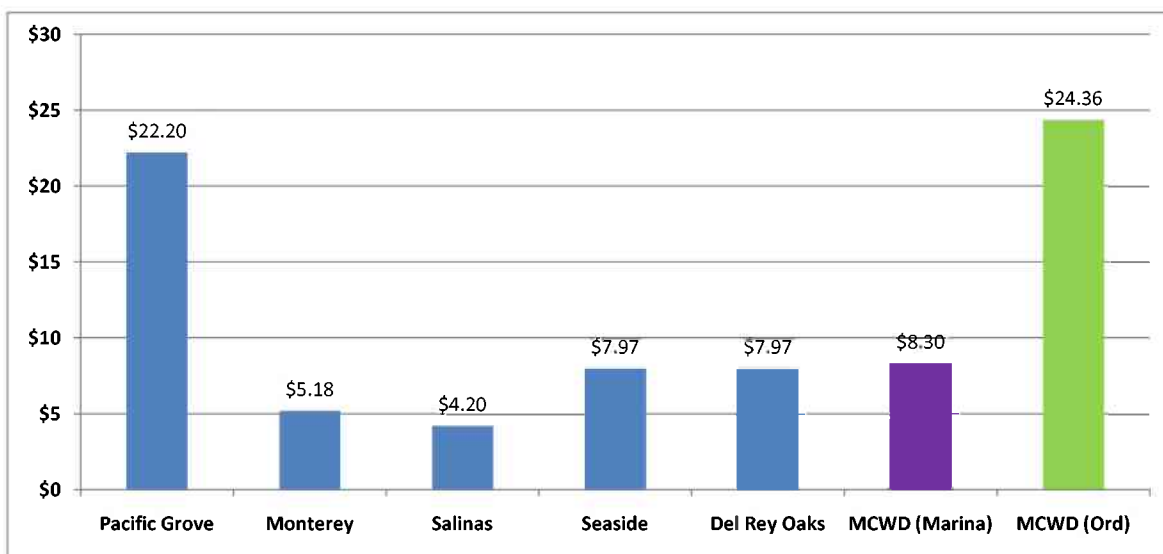
<sup>4</sup>Rate is 66.4% of MRWPCA rate

<sup>5</sup>Rate is 66.4% of MRWPCA rate

<sup>6</sup>Rate is \$8.30 per Equivalent Dwelling Unit (69.2% of MRWPCA rate - Residential Rate) is proposed for FY 2010/2011

<sup>7</sup>Rate is \$24.36 per Equivalent Dwelling Unit (203.0% of MRWPCA rate - Residential Rate) is proposed for FY 2010/2011

**As District customer base grows in the next few years, the monthly wastewater collection rate could possibly be reduced.**



**NOTICE OF PUBLIC HEARING  
ON PROPOSED CHANGES IN MONTHLY RATES, FEES AND CHARGES  
FOR MARINA COAST WATER DISTRICT SERVICE AREAS**

**Marina and the Ord Service Area**

**(Proposition 218 Notice)**

**Public Hearing for Marina Service Area:** The previously scheduled meeting has been moved from July 13 to August 10, 2010, 7:00 p.m., MCWD Office, 11 Reservation Road, Marina, CA

**Public Hearing for Ord Community Service Area:** The previously scheduled meeting has been moved from July 9 to August 13, 2010, 3:00 p.m., FORA Conference Facility/Bridge Center, 201 13<sup>th</sup> St., Building 2925, Marina, CA

The Marina Coast Water District (MCWD) proposes to update the water and wastewater rates, fees and charges in order to be able to continue to operate, maintain and improve the District's water and wastewater facilities for the areas MCWD serves in Marina and on the former Fort Ord. The area the District serves on the former Ft. Ord is known as the "Ord Community Service Area." Except as changed by these updates, other existing rates, fees and charges will remain in effect. Changes to rates, fees and charges for the Ord Community Service Area require approval by both MCWD and the Fort Ord Reuse Authority (FORA).

**PROPOSED INCREASE FOR WATER AND WASTEWATER RATES.** The District currently charges customers a monthly fee for water based on the amount of the water consumed. The monthly consumption rate is currently an inclining block with three tiers. The District currently charges a flat rate for wastewater services. The District proposes to increase water and wastewater rates as set forth herein.

**PROPOSED INCREASE FOR WATER AND WASTEWATER SERVICE FEES.** The District currently charges monthly service fees as a condition of service, based on the cost of labor and materials necessary to provide the services. The District proposes to increase water and wastewater service fees as set forth herein.

**REASON FOR THE INCREASES.** Since the last rate increase, the costs of energy, labor, raw materials and all other components necessary to provide water and wastewater services and to maintain and repair the facilities used to provide such services have increased. The proposed 7.8% for Marina and 7.8% for former Fort Ord increase is based information presented by engineering and financial advisors to the Boards of Directors of FORA and MCWD demonstrating the need to increase rates, fees and charges to maintain water and wastewater services within the MCWD's existing service areas. The specific information relating to the need for the rate increase as well as the calculation of the amount of the increase is on file at the MCWD's office.

**HOW THE RATES, FEES AND CHARGES WERE CALCULATED.** A study has been conducted by an independent consulting firm. That study concluded that the proposed rates will provide enough funds for the District to recover the cost of operation & maintenance and administration. All rates, fees and charges are calculated based on the cost to provide services. The water rates are calculated based on the amount of water used. Wastewater rates are calculated based on the amount of wastewater discharged, measured by equivalent dwelling units

(one residence equals one dwelling unit).

**PROPOSED CHANGE IN WATER AND WASTEWATER RATES.**

**FOR CENTRAL MARINA CUSTOMERS.**

**CENTRAL MARINA MONTHLY WATER RATES**

<b>EXISTING RATE</b>	<b>PROPOSED RATE</b>
<b>Water Consumption Charge</b>	<b>Water Consumption Charge</b>
\$1.93 per hcf (0-8 hcf)	Effective August 10, 2010
\$2.35 per hcf (9-16 hcf)	\$2.08 per hcf (0-8 hcf)
\$4.29 per hcf (16 + hcf)	\$2.53 per hcf (9-16 hcf)
	\$4.62 per hcf (16 + hcf)

One hcf, or hundred cubic feet, is 748 gallons

**CENTRAL MARINA MONTHLY WASTEWATER RATES**

<b>EXISTING RATE</b>	<b>PROPOSED RATE</b>
\$7.70 per equivalent dwelling unit	Effective August 10, 2010
	\$8.30 per equivalent dwelling unit

**CENTRAL MARINA MONTHLY WATER SERVICE FEES**

<b>EXISTING FEE</b>	<b>METER SIZE</b>	<b>PROPOSED FEE (Effective August 10, 2010)</b>
\$15.87	5/8" or 3/4"	\$17.11
\$39.66	1"	\$42.75
\$79.32	1-1/2"	\$85.51
\$126.90	2"	\$136.80
\$237.94	3"	\$256.50
\$396.57	4"	\$427.50
\$793.14	6"	\$855.00
\$1,586.28	8"	\$1,710.01
\$72.73	Temporary Water Service	\$78.40

**ORD COMMUNITY SERVICE AREA CUSTOMERS.**

**ORD COMMUNITY SERVICE AREA MONTHLY WATER RATES**

EXISTING RATE	PROPOSED RATE
<b>Water Consumption Charge</b>  \$2.06 per hcf (0-8 hcf) \$2.89 per hcf (9-16 hcf) \$3.73 per hcf (16 + hcf)	<b>Water Consumption Charge</b> Effective August 13, 2010  \$2.22 per hcf (0-8 hcf) \$3.12 per hcf (9-16 hcf) \$4.02 per hcf (16 + hcf)
<b>Monthly Flat Rate Billing</b>  \$74.58 per unit without meter	<b>Monthly Flat Rate Billing</b> Effective August 13, 2010 \$80.40 per unit without meter
<b>Monthly Capital Surcharge Billing (for new connection)</b>  \$20.00 per edu per month	<b>Monthly Capital Surcharge Billing (for new connection)</b> Effective August 13, 2010 \$20.00 per edu per month

One hcf, or hundred cubic feet, is 748 gallons, edu - equivalent dwelling unit

**ORD COMMUNITY SERVICE AREA MONTHLY WASTEWATER RATES**

EXISTING RATE	PROPOSED RATE
\$22.60 per equivalent dwelling unit	Effective August 13, 2010 \$24.36 per equivalent dwelling unit
<b>Monthly Capital Surcharge Billing (for new connection)</b>  \$5.00 per edu per month	<b>Monthly Capital Surcharge Billing (for new connection)</b> Effective August 13, 2010 \$5.00 per edu per month

**ORD COMMUNITY SERVICE AREA MONTHLY WATER SERVICE FEES**

EXISTING FEE	METER SIZE	PROPOSED FEE (Effective August 13, 2010)
\$15.13	5/8" or 3/4"	16.31
\$37.81	1"	40.76
\$75.60	1-1/2"	81.50
\$120.96	2"	130.39
\$226.80	3"	244.49
\$378.00	4"	407.48
\$755.99	6"	814.96
\$1,511.99	8"	1,629.93
\$72.73	Temporary Water Service	\$78.40



**PUBLIC HEARING – ORD SERVICE AREA.** The MCWD Board and the FORA Board will hold a public meeting at 3:00 p.m. on August 13, 2010 at the FORA Conference Facility/Bridge Center at 201 13<sup>th</sup> Street, Building 2925, Marina, California. At the hearing, FORA and the MCWD will consider all protests against the proposed increases in rates, fees and charges. If written protests against any proposed change are presented by a majority of owners and tenants who pay their bills directly to MCWD, FORA and MCWD will not impose the change.

**PUBLIC HEARING – CENTRAL MARINA SERVICE AREA.** The MCWD Board will hold a public meeting at 7:00 p.m. on August 10, 2010 at the MCWD Office at 11 Reservation Road, Marina, California. At the hearing, the MCWD will consider all protests against the proposed increases in rates, fees and charges. If written protests against any proposed change are presented by a majority of owners and tenants who pay their bills directly to MCWD, MCWD will not impose the change.

**PROTESTS TO PROPOSED CHARGES.** If you are the owner of record of a parcel or parcels served by the MCWD or you are a tenant who makes payment directly to the MCWD for rates, fees and charges for water and wastewater services, you may submit a protest against the proposed rates, fees and charges by filing a **written protest** with the District at or before the time set for the public hearing. If written protests are presented by a majority of owners, including tenants who make direct payment to MCWD, MCWD and FORA will not impose the new rates, fees and charges. A protest must contain a description of the parcel or parcels in which the party signing the protest has an interest, sufficient to identify the parcel(s). If the party signing the protest is not shown on the last equalized assessment roll of Monterey County as the owner of the parcel(s), the protest must contain, or be accompanied by, written evidence that such party is the owner of the parcel(s) or is a tenant who makes payments directly to the MCWD for water and wastewater rates, fees and charges (a copy of recent MCWD bill would be sufficient evidence). Only one protest per property will be counted. Protests regarding the proposed charges may be mailed or personally delivered to: **Marina Coast Water District, 11 Reservation Road, Marina, CA 93933-2099, and must be received by the time set for the public hearing.**

If you have any questions about this notice, please call MCWD at (831) 384-6131 during regular business hours.

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PROTEST FORM

Name: \_\_\_\_\_

Address of Parcel (Service Address): \_\_\_\_\_

Assessor's Parcel Number (if known): \_\_\_\_\_

Reason for Protest: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Resolution No. 10-10**  
Resolution of the Board of Directors  
Fort Ord Reuse Authority  
Adopting the Budget and the Ord Community Compensation Plan for FY 2010-2011  
not including Capacity Charges

August 13, 2010

RESOLVED by the Board of Directors (“Directors”) of the Fort Ord Reuse Authority (“FORA”), at a regular meeting duly called and held on August 13, 2010 at the business office of FORA 100 12<sup>th</sup> St., Bldg. 2880, Marina California as follows:

WHEREAS, Marina Coast Water District (“District”) Staff prepared and presented the draft FY 2010-2011 Budget (**Attachment A**) which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a “Water/Wastewater Facilities Agreement” (“the Agreement”) on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, the Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for 2010-2011 provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable MCWD to provide continued water, recycled water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

WHEREAS, the Water/Wastewater Oversight Committee of FORA and the MCWD full Board have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and MCWD have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and MCWD cooperated in the conveyance to MCWD of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA’s jurisdiction; and,

WHEREAS, MCWD has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, FORA and MCWD have agreed that water conservation is a high priority, and have implemented a water conservation program in the Ord Community service area that includes public education, various incentives to use low-flow fixtures, and water-conserving landscaping. The rates, fees and charges adopted by this Resolution 10-10 are intended to support the water conservation program and encourage water conservation, pursuant to sections 375 and 375.5 of the California Water Code. This conservation program and these rates, fees and charges are in the public interest, serve a public purpose, and will promote the health, welfare, and safety of Ord Community, and will enhance the economy and quality of life of the Monterey Bay community; and,

WHEREAS, estimated revenues from the rates, fees and charges will not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed, will not be used for any purpose other than that for which the fee or charge was imposed, will not exceed the proportional cost of the service attributable to each identified parcel upon which the fee or charge is proposed for imposition and no fee or charge will be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and,

WHEREAS, after a public meeting based upon staff's recommendations, the Board has determined that the Budget and Compensation Plan, including the rates, fees and charges therein, should be adopted as set forth on **Attachment A** to this Resolution; and,

WHEREAS, FORA has held a joint hearing with Marina Coast Water District on the rates, fees and charges, not including Capacity Charges, for the Compensation Plan pursuant to and in accordance with Section 6 of Article XIID of the California Constitution; and

WHEREAS, at the joint hearing, the Board heard and considered all protests to the Compensation Plan and the rates, fees and charges proposed and finds that written protests were submitted by less than a majority of the record owners of each identified parcel upon which the fee or charge is proposed for imposition; and,

WHEREAS, Capacity Charges for the FY 2010-2011 are the subject of and will be adopted by a separate Resolution; and,

WHEREAS, FORA is the lead agency for the adoption of rates, fees and charges for the area of the Ord Community under FORA's jurisdiction, and that in adopting rates and charges for that area, the District is acting as a responsible agency and relying on FORA's compliance with the requirements of the California Environmental Quality Act ("CEQA"); that the District has previously adopted rates, fees and charges for its jurisdictional service area; and that, in approving rates, fees and charges for the area of Ord Community within the jurisdiction of the U.S. Army, the District is acting to provide continued water, recycled water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

1. The Board of Directors of the Fort Ord Reuse Authority does hereby approve and adopt FY 2010-2011 Budget and Compensation Plan, not including Capacity Charges for water, recycled water and wastewater services to the Ord Community.
2. The District is authorized to charge and collect rates for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the rates, fees and charges set forth in **Attachment A**, not including Capacity Charges and. The District is further authorized to use the same rates, fees and charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The rates, fees and charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed.

PASSED AND ADOPTED on August 13, 2010, by the Board of Directors of the Fort Ord Reuse Authority by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
Ralph Rubio, Chair

ATTEST:

\_\_\_\_\_  
Michael A. Houlemard, Jr., Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Fort Ord Reuse Authority hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 10-10 adopted August 13, 2010.

\_\_\_\_\_  
Michael A. Houlemard, Jr., Secretary

**Resolution No. 10-11**

Resolution of the Board of Directors  
Fort Ord Reuse Authority

Adopting the Capacity Charge element of the Budget and the Ord Community Compensation  
Plan for FY 2010-2011

August 13, 2010

RESOLVED by the Board of Directors (“Directors”) of the Fort Ord Reuse Authority (“FORA”), at a regular meeting duly called and held on August 13, 2010 at the business office of FORA 100 12<sup>th</sup> St., Bldg. 2880, Marina California as follows:

WHEREAS, Marina Coast Water District (“District”) Staff prepared and presented the draft FY 2010-2011 Budget which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a “Water/Wastewater Facilities Agreement” (“the Agreement”) on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, The Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for 2010-2011 provides for funds necessary to meet operating and capital expenses 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 on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

WHEREAS, a financing study prepared by Citigroup Global Markets Inc. in 2005 for the District recommended the adoption of capacity charges as an element of financing capital facilities for water and wastewater services to the Ord Community; and,

WHEREAS, the Water/Wastewater Oversight Committee of FORA and the District full Board have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and the District have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and the District have cooperated in the conveyance to the District of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA’s jurisdiction; and,

WHEREAS, the District has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, capacity charges are imposed as a condition of service to customers. The charges are not imposed upon real property or upon persons as an incident of real property ownership; and,

WHEREAS, estimated revenues from the capacity charges will not exceed the estimated reasonable costs of providing the facilities and services for which the charges are imposed; and,

WHEREAS, the capacity charges and have not been calculated nor developed on the basis of any parcel map, including any assessor's parcel map; and,

WHEREAS, no written requests are on file with the District for mailed notice of meetings on new or increased fees or service charges pursuant to Government Code Section 66016. At least 10 days prior to the meeting, the District made available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service; and

WHEREAS, the amount of the increase in capacity charges exceeds the percentage increase in the Implicit Price Deflator for State and Local Government Purchases, as determined by the Department of Finance. As a result, the District cannot charge the increased capacity fee to any school district, county office of education, community college district, state agency, or the University of California before first negotiating the increases with those entities in accordance with District Code section 6.16.020 and Government Code section 54999.3. Although these sections also apply to California State University at Monterey Bay, the District has complied with its obligation to negotiate with it and can charge the increased amounts to CSUMB as a result of and as limited by a Settlement Agreement and Mutual Release dated June 1, 2006, by which the District and California State University made an agreement regarding the amount of all future capacity charges. Accordingly, the District can charge the increased capacity charges as limited by the Settlement Agreement and Mutual Release immediately to CSUMB. The increased capacity charges to any other school district, state agency, county office of education, community college district or the University of California will be effective only when negotiations are concluded with those entities; and,

WHEREAS, after a public meeting and based upon staff's recommendations, the Board has determined that the capital elements of the Budget and Compensation Plan, including the capacity charges therein, should be adopted as set forth on **Attachment A** to this Resolution; and

WHEREAS, Government Code Section 54999.3 requires that before imposing certain capital facilities fees on certain educational and state entities, any public agency providing public utility service must negotiate with the entities receiving the service; and

WHEREAS, FORA is the lead agency for the adoption of rates, fees and charges for the area of the Ord Community under FORA's jurisdiction, and that in adopting rates and charges for that area, the District is acting as a responsible agency and relying on FORA's compliance with the requirements of the California Environmental Quality Act ("CEQA"); that the District has previously adopted rates, fees and charges for its jurisdictional service area; and that, in approving rates, fees and charges for the area of Ord Community within the jurisdiction of the U.S. Army, the District is acting to provide continued water and sewer service within existing

service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

1. The Board of Directors of the Fort Ord Reuse Authority does hereby approve and adopt the capital elements of the FY 2010-2011 Budget for water, recycled water and wastewater services to the Ord Community.
2. The capital elements of the compensation plan for the area of Ord Community within FORA’s jurisdiction, including capacity charges, set forth on **Attachment A** to this Resolution are hereby approved and adopted. The District is authorized to charge and collect capacity charges for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the schedule set forth in **Attachment A**. The District is further authorized to use the same charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the charges are imposed.
4. The District will comply with the requirements of Government Code section 54999.3 before imposing a capital facilities fee (as defined in Government Code section 54999.1) on any school district, county office of education, community college district, the California State University, the University of California or state agency.

PASSED AND ADOPTED on August 13, 2010, by the Board of Directors of the Fort Ord Reuse Authority by the following roll call vote:

Ayes: Directors \_\_\_\_\_

Noes: Directors \_\_\_\_\_

Absent: Directors \_\_\_\_\_

Abstained: Directors \_\_\_\_\_

\_\_\_\_\_  
Ralph Rubio, Chair

ATTEST:

\_\_\_\_\_  
Michael A. Houlemard, Jr., Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Fort Ord Reuse Authority hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 10-11 adopted August 13, 2010.

\_\_\_\_\_  
Michael A. Houlemard, Jr., Secretary

August 13, 2010

Resolution No. 2010 - 58  
Resolution of the Board of Directors  
Marina Coast Water District  
Adopting the Budget and the Ord Community Compensation Plan for FY 2010-2011  
not including Capacity Charges

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on August 13, 2010 at the business office of Fort Ord Reuse Authority (“FORA”) 100 12<sup>th</sup> St., Bldg. 2880, Marina California as follows:

WHEREAS, the District staff prepared and presented the draft FY 2010-2011 Budget (**Attachment A**) which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a “Water/Wastewater Facilities Agreement” (“the Agreement”) on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, the Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for 2010-2011 provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable MCWD to provide continued water, recycled water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

WHEREAS, the Water/Wastewater Oversight Committee of FORA and the MCWD full Board have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and MCWD have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and MCWD cooperated in the conveyance to MCWD of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA’s jurisdiction; and,



WHEREAS, MCWD has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, FORA and MCWD have agreed that water conservation is a high priority, and have implemented a water conservation program in the Ord Community service area that includes public education, various incentives to use low-flow fixtures, and water-conserving landscaping. The rates, fees and charges adopted by this Resolution 10-09 are intended to support the water conservation program and encourage water conservation, pursuant to sections 375 and 375.5 of the California Water Code. This conservation program and these rates, fees and charges are in the public interest, serve a public purpose, and will promote the health, welfare, and safety of Ord Community, and will enhance the economy and quality of life of the Monterey Bay community; and,

WHEREAS, estimated revenues from the rates, fees and charges will not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed, will not be used for any purpose other than that for which the fee or charge was imposed, will not exceed the proportional cost of the service attributable to each identified parcel upon which the fee or charge is proposed for imposition and no fee or charge will be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and,

WHEREAS, after a public meeting based upon staff's recommendations, the Board has determined that the Budget and Compensation Plan, including the rates, fees and charges therein, should be adopted as set forth on **Attachment A** to this Resolution; and,

WHEREAS, FORA has held a joint hearing with Marina Coast Water District on the rates, fees and charges, not including Capacity Charges, for the Compensation Plan pursuant to and in accordance with Section 6 of Article XIID of the California Constitution; and

WHEREAS, at the joint hearing, the Board heard and considered all protests to the Compensation Plan and the rates, fees and charges proposed and finds that written protests were submitted by less than a majority of the record owners of each identified parcel upon which the fee or charge is proposed for imposition ; and,

WHEREAS, Capacity Charges for the FY 2010-2011 are the subject of and will be adopted by a separate Resolution; and,

WHEREAS, FORA is the lead agency for the adoption of rates, fees and charges for the area of the Ord Community under FORA's jurisdiction, and that in adopting rates and charges for that area, the District is acting as a responsible agency and relying on FORA's compliance with the requirements of the California Environmental Quality Act ("CEQA"); that the District has previously adopted rates, fees and charges for its jurisdictional service area; and that, in approving rates, fees and charges for the area of Ord Community within the jurisdiction of the U.S. Army, the District is acting to provide continued water, recycled water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA

pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

1. The Board of Directors of the Marina Coast Water District does hereby approve and adopt FY 2010-2011 Budget and Compensation Plan, not including Capacity Charges for water, recycled water and wastewater services to the Ord Community.
2. The District is authorized to charge and collect rates for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the rates, fees and charges set forth in **Attachment A**, not including Capacity Charges and. The District is further authorized to use the same rates, fees and charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The rates, fees and charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed.

PASSED AND ADOPTED on August 13, 2010, 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 \_\_\_\_\_

\_\_\_\_\_  
Kenneth K. Nishi, Chair

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. 2010-58 adopted August 13, 2010.

\_\_\_\_\_  
Jim Heitzman, Secretary

August 13, 2010

Resolution No. 2010 - 59  
Resolution of the Board of Directors  
Marina Coast Water District  
Adopting the Capacity Charge element of the Budget and the Ord Community Compensation  
Plan for FY 2010-2011

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on August 13, 2010 at the business office of Fort Ord Reuse Authority (“FORA”) 100 12<sup>th</sup> St., Bldg. 2880, Marina California as follows:

WHEREAS, the District Staff prepared and presented the draft FY 2010-2011 Budget which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, FORA is authorized by the FORA Act, particularly Government Code 67679(a)(1), to arrange for the provision of water and wastewater services to the Ord Community; and

WHEREAS, the District and FORA, entered into a “Water/Wastewater Facilities Agreement” (“the Agreement”) on March 13, 1998, and have subsequently duly amended the Agreement; and,

WHEREAS, The Agreement provides a procedure for establishing budgets and compensation plans to provide for sufficient revenues to pay the direct and indirect, short-term and long-term costs, including capital costs, to furnish the water and wastewater facilities; and,

WHEREAS, the Agreement, as amended, provides that FORA and the District will each adopt the annual Budget and Compensation Plan by resolution; and,

WHEREAS, the proposed Budget and Compensation Plan for 2010-2011 provides for funds necessary to meet operating and capital expenses 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 on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

WHEREAS, a financing study prepared by Citigroup Global Markets Inc. in 2005 for the District recommended the adoption of capacity charges as an element of financing capital facilities for water and wastewater services to the Ord Community; and,

WHEREAS, the Water/Wastewater Oversight Committee of FORA and the District full Board have reviewed the proposed Budget and Compensation Plan; and,

WHEREAS, pursuant to the Agreement, FORA and the District have adopted and implemented and acted in reliance on budgets and compensation plans for prior fiscal years; and,

WHEREAS, pursuant to the Agreement, FORA and the District have cooperated in the conveyance to the District of easements, facilities and ancillary rights for the water, recycled water and wastewater systems on the area of the former Fort Ord within FORA's jurisdiction; and,

WHEREAS, the District has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA's jurisdiction under the authority of the Agreement, and provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

WHEREAS, capacity charges are imposed as a condition of service to customers. The charges are not imposed upon real property or upon persons as an incident of real property ownership; and,

WHEREAS, estimated revenues from the capacity charges will not exceed the estimated reasonable costs of providing the facilities and services for which the charges are imposed; and,

WHEREAS, the capacity charges have not been calculated nor developed on the basis of any parcel map, including any assessor's parcel map; and,

WHEREAS, no written requests are on file with the District for mailed notice of meetings on new or increased fees or service charges pursuant to Government Code Section 66016. At least 10 days prior to the meeting, the District made available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service; and

WHEREAS, the amount of the increase in capacity charges exceeds the percentage increase in the Implicit Price Deflator for State and Local Government Purchases, as determined by the Department of Finance. As a result, the District cannot charge the increased capacity fee to any school district, county office of education, community college district, state agency, or the University of California before first negotiating the increases with those entities in accordance with District Code section 6.16.020 and Government Code section 54999.3. Although these sections also apply to California State University at Monterey Bay, the District has complied with its obligation to negotiate with it and can charge the increased amounts to CSUMB as a result of and as limited by a Settlement Agreement and Mutual Release dated June 1, 2006, by which the District and California State University made an agreement regarding the amount of all future capacity charges. Accordingly, the District can charge the increased capacity charges as limited by the Settlement Agreement and Mutual Release immediately to CSUMB. The increased capacity charges to any other school district, state agency, county office of education, community college district or the University of California will be effective only when negotiations are concluded with those entities; and,

WHEREAS, after a public meeting and based upon staff's recommendations, the Board has determined that the capital elements of the Budget and Compensation Plan, including the capacity charges therein, should be adopted as set forth on **Attachment A** to this Resolution; and

WHEREAS, Government Code Section 54999.3 requires that before imposing certain capital facilities fees on certain educational and state entities, any public agency providing public utility service must negotiate with the entities receiving the service; and

WHEREAS, FORA is the lead agency for the adoption of rates, fees and charges for the area of the Ord Community under FORA's jurisdiction, and that in adopting rates and charges for that area, the District is acting as a responsible agency and relying on FORA's compliance with the requirements of the California Environmental Quality Act ("CEQA"); that the District has previously adopted rates, fees and charges for its jurisdictional service area; and that, in approving rates, fees and charges for the area of Ord Community within the jurisdiction of the U.S. Army, the District is acting to provide continued water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

1. The Board of Directors of the Marina Coast Water District does hereby approve and adopt the capital elements of the FY 2010-2011 Budget for water, recycled water and wastewater services to the Ord Community.
2. The capital elements of the compensation plan for the area of Ord Community within FORA's jurisdiction, including capacity charges, set forth on **Attachment A** to this Resolution are hereby approved and adopted. The District is authorized to charge and collect capacity charges for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the schedule set forth in **Attachment A**. The District is further authorized to use the same charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the charges are imposed.
4. The District will comply with the requirements of Government Code section 54999.3 before imposing a capital facilities fee (as defined in Government Code section 54999.1) on any school district, county office of education, community college district, the California State University, the University of California or state agency.

PASSED AND ADOPTED on August 13, 2010, 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 \_\_\_\_\_

\_\_\_\_\_  
Kenneth K. Nishi, 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. 2010-59 adopted August 13, 2010.

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Jim Heitzman, Secretary