

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: September 13, 2011

Submitted By: Patrick Breen

Presented By: Carl Niizawa

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2011-69 to Approve a Contract Amendment for Denise Duffy & Associates for Planning and Environmental Services for Marina Coast Water District's Ord Community Annexation

Detailed Description: The Board of Directors is requested to approve Resolution No. 2011-xx that approves an amendment for Denise Duffy & Associates for a 2nd Phase of planning and environmental services for the District's Ord Community Annexation for a not to exceed amount of \$63,000.

In June 2010, the Board directed staff to initiate the annexation process for the Ord Community. To facilitate this work, the Board approved \$37,840 to Denise Duffy & Associates for the initial phase of planning and environmental work associated with the former Ft Ord area annexation.

In compliance with previous Board authorization, the initial phase of planning and environmental services provided by Denise Duffy & Associates is nearing completion. These services included preparation of the alternatives analysis, the proposed project description, early environmental analysis and recommendation on the proposed California Environmental Quality Act (CEQA) process, and meeting attendance and preparation.

Denise Duffy & Associates is now proposing to perform the next phase of environmental services to assist staff in completing the CEQA and LAFCO application processes. These services include completion of the CEQA Initial Study and Negative Declaration document and procedural requirements (including Board adoption), completion of the LAFCO Application, processing assistance, and Board consideration/approval, and support at meetings, as required. The fee for their services, including a 10% contingency, is \$63,000.

Environmental Review Compliance: An Environmental Impact Report is not considered necessary for this project under CEQA. Instead, an Initial Study/Negative Declaration is proposed to be prepared and circulated for public review. After required noticing and public review of this document, the Board will be asked to consider the adequacy of the CEQA documentation and process and the comments received, if any, prior to making a decision on the project.

Prior Committee or Board Action: The Board of Directors has taken a series of actions accepting responsibility for the provision of water, wastewater and recycled water service to the Ord Community. Key actions include:

- Entering into Water/Wastewater Facilities Agreement with FORA, March 13, 1998
- Submitting a Public Benefit Conveyance Application for the Fort Ord Water and Sewer Facilities, 1999

- Accepting the title to and easements for the Water and Sewer infrastructure on the former Fort Ord, Resolution No. 2001-52, October 24, 2001
- Certifying the final EIR for the Regional Urban Water Augmentation Project and Filing a Notice of Determination for the Project, Resolution No. 2004-56, October 27, 2004
- Forming the Ord Community Ad Hoc Committee to make recommendations to the Board regarding annexation of the Ord Community to the District service area.
- Approving a Revised Memorandum of Understanding between Marina Coast Water District, Monterey County Water Resources Agency and the Monterey Regional Water Pollution Control Agency Regarding Cooperative Planning and Joint Analysis for a Monterey Regional Water Supply Program, Resolution No. 2009-44, July 1, 2009
- Directing District Staff to Work with LAFCO Staff to Initiate an Annexation Process of Any or All of the Ord Community, Resolution No. 2010-43, June 22, 2010

Board Goals: *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. Goal No. 3: The District shall adopt a governance model in a timely manner that accomplishes the District’s mission, provides fair political representation and separate service area cost centers, and appropriately assigns full marginal costs to future customers.*

Financial Impact: ___X___ Yes _____ No

Funding Source/Recap: Funding for this effort will come from the FY 2011/2012 Ord Water and Sewer cost centers. Funding authorized under resolution 2010-43 for engineering and technical support by Schaaf & Wheeler, Consulting Civil Engineers, and for application and processing fees, remains available for use under Phase 2.

Material Included for Information/Consideration: Resolution No. 2011-69.

Staff Recommendation: The Board of Directors is requested to approve Resolution No. 2011-69 that authorizes the General Manager or the Deputy General Manager/District Engineer to approve an amendment for Denise Duffy & Associates for Phase 2 Planning and Environmental Services based upon the Draft Proposed Project Description for the Ord Community Annexation.

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

September 13, 2011

Resolution No. 2011 - 69
Resolution of the Board of Directors
Marina Coast Water District
Approve an Amendment for Denise Duffy & Associates
for Planning and Environmental Services for the Ord Community Annexation

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on September 13, 2011, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Denise Duffy & Associates and District staff have prepared a draft proposed project description for the LAFCO application and CEQA process that presents proposed sphere of influence and urban service area boundaries for relevant areas of the Ord Community; and,

WHEREAS, Denise Duffy & Associates has proposed a scope for completion of the planning and environmental services for the annexation, they are knowledgeable about the CEQA and LAFCO requirements, the District and the Ord Community, and staff agrees that their proposal is reasonable.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2011-69 which does hereby;

1) Authorize the General Manager and/or Deputy General Manager/District Engineer to execute an amendment to the Professional Services Agreement with Denise Duffy & Associates for Phase 2 planning and environmental services for the annexation, and,

2) To take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, the total dollar amount not-to-exceed \$63,000.

PASSED AND ADOPTED on September 13, 2011, 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 _____

William Y. Lee, 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. 2011-69 adopted September 13, 2011.

Jim Heitzman, Secretary