

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-A

Meeting Date: January 10, 2012

Submitted By: Carl Niizawa

Presented By: Carl Niizawa

Reviewed By: Jim Heitzman

Agenda Title: Consider Forming an Ad Hoc Committee to Address Issues Related to the Ord Community Annexation Process

Detailed Description: The Board of Directors is requested to consider forming an Ad Hoc Committee to address issues related to the Ord Community Annexation process.

The District currently provides water, wastewater and recycled water service to the former Fort Ord (Ord Community) under the Water/Wastewater Facilities Agreement with the Fort Ord Reuse Authority (FORA), dated March 13, 1998. The term of the agreement is coincidental with the legal existence of FORA. FORA is a public corporation of the State of California established by the FORA Act, and will cease to exist in 2014 unless the FORA act is amended by the Legislature.

Amending the District sphere of influence and service area boundary is an action under the Local Agency Formation Commission of Monterey County (LAFCO). A CEQA Draft Initial Study/Negative Declaration (IS/ND) was prepared to accompany the future LAFCO application. This IS/ND was circulated for public review on October 31, 2011. Written comments were received through December 15, 2011, and a public hearing to receive oral comments was scheduled for this meeting, on January 10, 2012.

Staff recommends that the Board of Directors appoint an Ad Hoc Committee to review issues, provide guidance on the LAFCO Application to staff, and return recommendations to the full Board of Directors.

Environmental Review Compliance: A Draft Initial Study/Negative Declaration was prepared and circulated for public review. The document may be recirculated for public review and comment if alterations are made to address comments received prior to final consideration by the Board of Directors.

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 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 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 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 2010-43, June 22, 2010
- Directing District Staff to Initiate the CEQA Process and Prepare a Draft LAFCO Application for Future Consideration, Resolution 2011-68, September 13, 2011

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: Yes No

Funding Source/Recap: Funding for this effort will come from the FY 2011/2012 Engineering Department budget for Engineering Consultants, Ord Water and Sewer cost centers.

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors appoint an Ad Hoc Committee to address issues related to the Ord Community Annexation process.

Action Required: Resolution Motion Review

Board Action

Resolution No Motion By Seconded By

Ayes Abstained

Noes Absent

Reagendized Date No Action Taken