



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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

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

## DIRECTORS

DAN BURNS  
President

HOWARD GUSTAFSON  
Vice President

KENNETH K. NISHI  
JAN SHRINER  
WILLIAM Y. LEE

## Agenda

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

11 Reservation Road, Marina, California  
Tuesday, April 10, 2012, 6:30 p.m. PST  
(Please note the earlier start time)

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

**Mission:** Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.

**Vision:** The Marina Coast Water District will be the leading public supplier of integrated water and wastewater services in the Monterey Bay Region.

#### 1. Call to Order

#### 2. Roll Call

#### 3. Closed Session

- A. Pursuant to Government Code 54956.9  
Conference with Legal Counsel – Existing Litigation  
(Subdivision (a) of Section 54956.9)

1) Ag Land Trust v. Marina Coast Water District and Does 1-100, Monterey County Superior Court Case No. M105019 (First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief)

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at the District office at 11 Reservation Road, Marina, 72 hours prior to the meeting. Copies will also be available at the Board meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, April 5, 2012 at the District office, Marina and Seaside City Halls, and at the Marina and Seaside Libraries. Information about items on this agenda or persons requesting disability related modifications and/or accommodations can contact the Board Clerk at: 831-883-5910. The next regular meeting of the Board of Directors is scheduled for May 8, 2012.

2) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates, California Public Utilities Commission No. A.04-09-019

- B. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Subdivision (b)  
One Case
- C. Pursuant to Government Code Section 54959.9  
Conference with Legal Counsel – Anticipated Litigation  
Potential Initiation of Litigation (c)  
One Case
- D. Pursuant to Government Code 54957.6  
Conference with Labor Negotiator  
Agency Negotiator (General Manager)  
Employee Organization: Marina Coast Water District Employees Association
- E. Pursuant to Government Code 54957.6  
Conference with Labor Negotiator  
Agency Negotiator (General Manager)  
Employee Organization: Teamsters Local 890
- F. Pursuant to Government Code Section 54957  
Public Employee Performance Evaluation  
Title: General Manager

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

**4. Possible Action on Closed Session Items** *The Board will report out on any action taken during Closed Session, and may take additional action in Open Session, as appropriate. Any closed session items not completed will be discussed at the end of the meeting.*

**5. Pledge of Allegiance**

**6. Oral Communications** *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to three minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

## 7. Presentation

- A. Consider Adoption of Resolution No. 2012-17 in Recognition of Brian True, Capital Projects Manager, for 5 Years of Service to the Marina Coast Water District

*Action: The Board will consider adopting Resolution No. 2012-17 recognizing Brian True, Capital Projects Manager, and awarding a plaque and gift certificate for 5 years of service to the Marina Coast Water District.*

## 8. Consent Calendar *Board approval can be taken with a single motion and vote. A Board member or member of the public may request that any item be pulled from the Consent Calendar for separate consideration at this meeting or a subsequent meeting. The public may address the Board on any Consent Calendar item. Please limit your comment to three minutes.*

- A. Approve the Draft MCWD 2011 Consumer Confidence Report for the Marina Coast Water District Water System
- B. Adopt Resolution No. 2012-18 to Approve a Professional Services Agreement with Schaaf and Wheeler for a Water Supply Assessment
- C. Adopt Resolution No. 2012-19 to Amend the Marina Coast Water District Conflict of Interest Code
- D. Adopt Resolution No. 2012-20 Consenting to Join the Health Benefits Program of the ACWA Joint Powers Insurance Authority, Ratifying the Action of the ACWA Health Benefits Authority Board of Directors to Terminate the Health Benefits Authority Joint Powers Agreement, and Authorizing and Directing the Marina Coast Water District to Execute all Necessary Documents
- E. Receive the Quarterly Financial Statements for October 1, 2011 to December 31, 2011
- F. Approve the Expenditures for the Month of March 2012
- G. Approve the Draft Minutes of the Regular Board Meeting of March 13, 2012

## 9. Action Items *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to three minutes.*

- A. Consider Appointments to the Water Conservation Commission

*Action: Currently, the Water Conservation Commission has two vacant public member positions. Mr. Carroll Meuse and Mr. Tom Jennings have submitted applications to the Water Conservation Commission. The Commission has forwarded the applications to the Board of Directors for consideration.*

- B. Consider Adoption of Resolution No. 2012-21 to Authorize the General Manager and/or Deputy General Manager/District Engineer to Approve a Construction Contract with Monterey Peninsula Engineering for the Supervisory Control and Data Acquisition Improvements Phase 1 Project

*Action: The Board of Directors is requested to consider approving a construction contract with Monterey Peninsula Engineering for the SCADA Improvements Phase I Project.*

- C. Consider Adoption of Resolution No. 2012-22 to Approve an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for Engineering Services Related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation

*Action: The Board of Directors is requested to consider amending the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for engineering services to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation.*

- D. Consider Adoption of Resolution No. 2012-23 to Approve an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for General Engineering Services Related to the Eastern Distribution Project Well No. 34 Installation

*Action: The Board of Directors will consider amending the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for general engineering services to the Eastern Distribution Project Well No. 34 installation.*

- E. Consider Adoption of Resolution No. 2012-24 to Approve a Professional Services Agreement with Gauger + Associates for Public Outreach Services

*Action: The Board of Directors will consider approving a Professional Services Agreement with Gauger + Associates for Public Outreach Services related to the Ord Community annexation.*

- F. Consider Adoption of Resolution No. 2012-25 to Approve the Phase II of the Eastern Distribution Project for Additional Groundwater Wells

*Action: The Board of Directors will consider approving a Phase II of the Eastern Distribution project for additional groundwater wells.*

- G. Consider a Nomination for the California Special Districts Association Board of Directors District 3 Seat A Position

*Action: The Board of Directors will consider if they want to send a nomination to the California Special Districts Association for their Board of Directors District 3 Seat A position for the 2013-2015 term. The nominee may be a Board member or managerial employee.*

**10. Staff Reports**

- A. Receive a Staff Report on the Estimated District Costs Involved with Marina Teen Center
- B. Receive a Staff Report on the District's Workplace Violence Policy and Recommendations from Marina Chief of Police

**11. Informational Items** *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to three minutes.*

- A. General Manager's Report
- B. Counsel's Report
- C. Committee and Board Liaison Reports
  - 1. Water Conservation Commission
  - 2. Joint City-District Committee
  - 3. Budget & Personnel Committee
  - 4. Executive Committee
  - 5. Community Outreach
  - 6. MRWPCA Board Member
  - 7. FORA
  - 8. LAFCO Liaison
  - 9. JPIA Liaison
  - 10. Special Districts Association Liaison
  - 11. CalDesal
  - 12. Regional Desalination Reports

**12. Director's Comments**

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

*Regular Meeting: Tuesday, May 8, 2012, 6:45 p.m.,  
11 Reservation Road, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 7-A

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa

Presented By: Jim Heitzman

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-17 in Recognition of Brian True, Capital Projects Manager, for 5 Years of Service to the Marina Coast Water District

Detailed Description: Brian True joined the District on April 11, 2007 as a Capital Projects Manager. He served as the Interim District Engineer from August 2008 to November 2009.

During his five years with the District, Brian has been given challenging projects including Stillwell Kidney, East Garrison, Dunes on Monterey and Marina Heights. He has also provided construction engineering oversight for Clark Lift Station, Marina Sewer Improvements and General Jim Moore Boulevard.

Brian has simultaneously managed multiple projects in various phases of development. In these areas, Brian established and sustained productive relationships with numerous local, regional and state agencies. Brian has always been willing to help others, for the betterment of the team.

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

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:  Yes  No

Funding Source/Recap: All four cost centers – Hospitality and awards.

Material Included for Information/Consideration: Resolution No. 2012-17.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-17 in recognition of Brian True, Capital Projects Manager, and awarding a plaque and gift certificate for five years of service to the Marina Coast Water District.



April 10, 2012

Resolution No. 2012-17  
Resolution of the Board of Directors  
Marina Coast Water District  
In Recognition of Mr. Brian True for  
5 Years of Service to the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Brian True joined the District on April 11, 2007 as a Capital Projects Manager, and served as the Interim District Engineer from August 2008 to November 2009; and,

WHEREAS, during his five years with the District, Brian has been given challenging assignments with responsibility for design and construction engineering oversight for the completion of numerous projects; and,

WHEREAS, Brian has been a helpful staff team member and has strived to support District’s team of staff.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby express its gratitude and recognizes Brian True for five years of service to the Marina Coast Water District, awarding a plaque and gift certificate and wishes him continued success with the District.

PASSED AND ADOPTED on April 10, 2012, 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-17 adopted April 10, 2012.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: April 10, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Approve the Draft MCWD 2011 Consumer Confidence Report for the Marina Coast Water District Water System
- B) Adopt Resolution No. 2012-18 to Approve a Professional Services Agreement with Schaaf and Wheeler for Consulting Services Related to a Water Supply Assessment
- C) Adopt Resolution No. 2012-19 to Amend the Marina Coast Water District Conflict of Interest Code
- D) Adopt Resolution No. 2012-20 Consenting to Join the Health Benefits Program of the ACWA Joint Powers Insurance Authority, Ratifying the Action of the ACWA Health Benefits Authority Board of Directors to Terminate the Health Benefits Authority Joint Powers Agreement, and Authorizing and Directing the Marina Coast Water District to Execute all Necessary Documents
- E) Receive the Quarterly Financial Statements for October 1, 2011 to December 31, 2011
- F) Approve the Expenditures for the Month of March 2012
- G) Approve the Draft Minutes of the Regular Board Meeting of March 13, 2012

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *Mission Statement - Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: See individual transmittals.

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

Staff Recommendation: The Board of Directors approve the Consent Calendar as presented.

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

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: April 10, 2012

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Carl Niizawa

Agenda Title: Approve the 2011 Consumer Confidence Report for the Marina Coast Water District Water System

Detailed Description: The Safe Drinking Water Act requires water utilities to provide accurate and timely information to consumers about the quality of their drinking water. The US Environmental Protection Agency and the California Department of Public Health (CDPH) adopted regulations known as a Consumer Confidence Report (CCR), to be distributed to water utility customers by July 1<sup>st</sup> each year. Since 1989, the District has provided CCR's (formerly called Annual Water Quality Report) to District customers.

The 2011 CCR summarizes the results of detected contaminants in District's supply wells and distribution systems conducted in calendar year 2011, or for some constituents, the most recent sampling year. The District's water system did not have a violation in 2011 and is in compliance with State and Federal drinking water regulations.

A list of contaminants tested for but not detected will be posted on the District's website at [www.mcwd.org/2011ccr-ND.html](http://www.mcwd.org/2011ccr-ND.html).

The 2011 CCR will be mailed together with each customer's water bill starting in May 2012. A separate mailing will be conducted for residents in the Ord military housing. Copies will be distributed to Alliance Residential, businesses, apartment managers, and school administrators for further distribution to customers who do not receive a water bill directly from the District. Staff will coordinate with the US Army-BRAC and CSUMB's News and Public Information Officer to establish the website links for access by the military and university communities. The CCR will be available on the District's website at [www.mcwd.org](http://www.mcwd.org).

Environmental Review Compliance: None required.

Prior Committee or Board Action: On April 5, 2012, the Water Conservation Commission reviewed this item.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:      Yes                      No

Funding Source Recap: Printing Expense, Laboratory Budget, Marina Water Fund and Ord Water Fund.

Material Included for Information/Consideration: Draft 2011 Consumer Confidence Report.

Staff Recommendation: The Board of Directors approve the 2011 Consumer Confidence Report for the Marina Coast Water District Water System.

Action Requested: \_\_\_\_\_ Resolution      X   Motion    \_\_\_\_\_ Review

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Board Action

\_\_\_\_\_ Resolution No. \_\_\_\_\_ Motion By \_\_\_\_\_      Seconded By \_\_\_\_\_

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

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

Reagendized: \_\_\_\_\_      Date: \_\_\_\_\_      No Action Taken: \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa

Presented By: Carl Niizawa

Reviewed By: Jim Heitzman

Agenda Title: Adopt Resolution No. 2012-18 to Approve a Professional Services Agreement with Schaaf and Wheeler for a Water Supply Assessment

Detailed Description: The Board of Directors is requested to approve a Professional Services Agreement with Schaaf and Wheeler for a Water Supply Assessment (WSA) for the Monterey Downs/Central Coast Veterans Cemetery Specific Plan for a not-to exceed amount of \$23,600.

The City of Seaside, the lead agency for the Monterey Downs/Central Coast Veterans Cemetery Specific Plan has requested from the District a WSA for use with the project environmental work. District staff has forwarded to the City a draft proposal from Schaaf & Wheeler for the Water Supply Assessment which was subsequently revised and accepted by the City. The cost of the Water Supply Assessment by Schaaf and Wheeler is a not to exceed amount of \$23,600.

Under California SB 610, the District is required to respond to a WSA request within 90 days. Approval of this agreement will comply with that requirement. Schaaf and Wheeler is on the District list of pre-qualified engineering firms from a qualification process conducted in 2010.

The cost of the Water Supply Assessment (not-to-exceed \$23,600) and associated District staff time (estimated \$1,225) is to be reimbursed to the District by the developer of the project, Monterey Downs.

Board Goals: *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.*

Financial Impact:     \_\_\_\_\_ Yes     \_\_\_X\_\_\_ No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: Resolution No. 2012-18

Staff Recommendation: Consider adoption of Resolution No. 2012-18 to approve a Professional Services Agreement with Schaaf and Wheeler for a Water Supply Assessment for the Monterey Downs/Central Coast Veterans Cemetery Specific Plan for a not-to exceed amount of \$23,600.

Action Required:     \_\_\_X\_\_\_ Resolution     \_\_\_\_\_ Motion     \_\_\_\_\_ Review

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Board Action

\_\_\_\_ Resolution No \_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

April 10, 2012

Resolution No. 2012-18  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving a Professional Services Agreement with Schaaf and Wheeler  
For a Water Supply Assessment for the  
Monterey Downs/Central Coast Veterans Cemetery Specific Plan  
For an Amount Not-to-Exceed \$23,600

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Monterey Downs is required to produce a Water Supply Assessment (Water Code section 10910 et. seq.) as part of the approval process for the Monterey Downs/Central Coast Veterans Cemetery Specific Plan; and,

WHEREAS, the City of Seaside requested that the District, as the public water supplier for the area of development, produce the required assessment; and,

WHEREAS, Under California SB 610, the District is required to respond to a Water Supply Assessment request within 90 days; and,

WHEREAS, Schaaf & Wheeler has provided a proposed scope of work and contract cost for the water supply assessment which is acceptable for the City of Seaside and Monterey Downs; and,

WHEREAS, the cost of the water supply assessment and associated District Staff time shall be paid for by Monterey Downs.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager to execute a Professional Services Agreement with Schaaf and Wheeler for a Water Supply Assessment for the Monterey Downs/Central Coast Veterans Cemetery Specific Plan the total dollar amount not-to exceed \$23,600.

PASSED AND ADOPTED on April 10, 2012, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

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

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

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

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



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Dan Burns, 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. 2012-18 adopted April 10, 2012.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: April 10, 2012

Submitted By: Paula Riso

Presented By: Jim Heitzman

Reviewed By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2012-19 to Amend the Marina Coast Water District Conflict of Interest Code

Detailed Description: The Board of Directors is requested to adopt Resolution No. 2012-19 amending the Marina Coast Water District (District) Conflict of Interest Code.

The Political Reform Act of 1974, Government Code Section 81000, et seq., requires state and local government agencies to adopt a Conflict of Interest Code. It is necessary for the District to periodically update its Conflict of Interest Code. The Monterey County Board of Supervisors requires a Local Agency Biennial Report on even numbered years. In April 2011, at the urging of the Monterey County Board of Supervisors, the District adopted Resolution No. 2011-25 adding consultants to its Conflict of Interest Code.

When the Board of Directors approved the District reorganization in February 2012, several position titles were changed and subsequently, the Project Manager title needs to be updated in the District Conflict of Interest Code.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan Mission Statement - Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact: \_\_\_\_\_ Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2012-19; Local Agency Biennial Report; and, Conflict of Interest Code of the Marina Coast Water District.

Recommendation: Update the District's Conflict of Interest Code and direct staff to submit same to Monterey County Board of Supervisors.

Action Required:  Resolution \_\_\_\_\_ Motion \_\_\_\_\_ Review

(Roll call vote is required.)

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Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

April 10, 2012

Resolution No. 2012 - 19  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending the Marina Coast Water District  
Conflict of Interest Code

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000, et seq., requires state and local government agencies to adopt a Conflict of Interest Code; and,

WHEREAS, it is necessary for the District to periodically update its Conflict of Interest Code, with the last update in 2011, for review by the District’s code filing body, the Monterey County Board of Supervisors; and,

WHEREAS, a review of said Code by the District’s code filing body and the District’s Counsel has indicated the list of Designated Positions set forth on Exhibit A should be revised; and,

WHEREAS, the Fair Political Practices Commission describes a Designated Employee as an officer, employee, member or consultant of an agency whose position is designated in the code because the position entails the making or participation in the making of governmental decisions that may foreseeably have a material effect on any financial interest; and,

WHEREAS, the District wishes to add the position title of Project Manager to the list of Designated Positions set forth on Exhibit A to the District’s Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby amend the Marina Coast Water District Conflict of Interest Code to include consultants, using the language recommended by the Fair Political Practices Commission as modified by the District’s code filing body, in the form attached to this Resolution.

PASSED AND ADOPTED on April 10, 2012, 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-19 adopted April 10, 2012.

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

Clerk of the Board, County of Monterey  
P.O. Box 1728  
Salinas, California 93902

LOCAL GOVERNMENT AGENCY REPORT

This agency has reviewed its Conflict of Interest Code on April 10, 2012 and has determined that:

An amendment is required. The following amendments are necessary:

  X   Include new positions (including consultants) that must be designated

       Delete positions that manage public investments from the list of designated positions

       Revise disclosure categories

       Revise the titles of existing positions

       Delete titles of positions that have been abolished

       Other (*describe*) \_\_\_\_\_

No amendment is required.

The Agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Contact Person: Paula Riso Phone Number (831) 883-5910  
Name of Agency: Marina Coast Water District  
Mailing Address: 11 Reservation Road, Marina, California 93933

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jim Heitzman, General Manager

**CONFLICT OF INTEREST CODE  
 OF THE  
MARINA COAST WATER DISTRICT  
 OF MONTEREY COUNTY**

(a) The Political Reform Act of 1974, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of standard model Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the political Reform Act after public notice and hearings. Therefore, the terms 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth are hereby incorporated by reference and constitute the Conflict of Interest Code of the Marina Coast Water District.

(b) Pursuant to Government Code section 81008 and 2 Cal. Code of Regs. Section 18730 (b) (4), all designated employees shall file statements of economic interests with their agency. Upon receipt of the statement of the Board of Directors, the agency shall make and retain a copy and forward the original of the statement to the code reviewing body, the Monterey County Board of Supervisors. Statements for all other designated employees shall be retained by the agency, which shall make the statements available for public inspection and reproduction.

(c) APPENDIX

EXHIBIT A:  
DESIGNATED POSITIONS

List of Designated Positions	Assigned Disclosure Categories
Members of the Board of Directors	1
General Manager	1
Deputy General Manager/District Engineer	1
District Engineer	1
Director of Administrative Services	1
Operations and Maintenance Superintendent	1
Director of Finance	1
Management Services Administrator	1
Water Quality Manager	1
Conservation Coordinator	1
District Legal Counsel	1
Capital Projects Manager	1
<u>Project Manager*</u>	1
Consultants <sup>1</sup>	1

\*Add Project Manager

EXHIBIT B:

DESIGNATED EMPLOYEES IN CATEGORY 1 MUST REPORT:

1. Investments in any business entity which:
  - (a) has contracted with this district within the last two years, or in the future may foreseeably do so, to provide services of any kind, supplies, materials, machinery, or equipment to the district; or
  - (b) manufactures, produces or processes any of said types of things and sells or leases them to a business entity which sells or leases them to the district, or
  - (c) deals in, or repairs or services any of said types of things which have been, are, or foreseeably may be, used by the district.
2. Income from any of the types of business entities referred to in paragraph 1 above, or from any person or business entity who or which receives the services provided by the district, or in the future may foreseeably do so, except such income as is not reportable under the provisions of subdivision (b) of Section 82030 of the Government Code.
3. His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any of the types of business entity referred to in either paragraph 1 or 2 above.
4. All interests in real property located in the jurisdiction of the district, or not more than two miles outside its boundaries, if the fair market value of the interest is greater than \$1,000.

Amended: \_\_\_\_\_

<sup>1</sup> \*For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code of Regs. section 18701(a)(2), as follows:

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
  1. Approve a rate, rule, or regulation;
  2. Adopt or enforce a law;
  3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
  4. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;



5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
6. Grant agency approval to a plan, design, report, study, or similar item;
7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants to the Marina Coast Water District shall be subject to disclosure under Category 1, subject to the following limitation:

The General Manager may determine in writing that a particular consultant, although a "Designated Employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of Category 1. In such cases, the General Manager may designate a different disclosure requirement. Such designation must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. The General Manager's designation must be filed, in advance of disclosure by the consultant, with the agency's conflict of interest code and also filed with the code reviewing body and must be delivered to the consultant along with a copy of the conflict of interest code and the manual and forms for disclosure (FPPC Form 700).

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: April 10, 2012

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2012-20 Consenting to Join the Health Benefits Program of the ACWA Joint Powers Insurance Authority, Ratifying the Action of the ACWA Health Benefits Authority Board of Directors to Terminate the Health Benefits Authority Joint Powers Agreement, and Authorizing and Directing the Marina Coast Water District to Execute all Necessary Documents

Summary: On March 7, 2012, a notice was sent to all members of the ACWA Health Benefits Authority (HBA) announcing the transition of the HBA into the ACWA Joint Powers Insurance Authority (ACWA/JPIA). On March 28, 2012, the HBA Board voted to dissolve the HBA and transfer the health benefits program to the ACWA/JPIA.

In order for there to be a seamless transition and comply with the mandated 90-day window period, all members of the ACWA HBA have been requested to pass a resolution consenting to join the ACWA JPIA. Failure to sign the resolution may result in a loss of coverage for District employees.

Environmental Review Compliance: None.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan Mission – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:  Yes  No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: Resolution No. 2012-20.

Staff Recommendation: The Board of Directors adopt Resolution 2012-20 consenting to join the Health Benefits Program of the ACWA Joint Powers Insurance Authority, ratifying the action of the ACWA Health Benefits Authority Board of Directors to terminate the Health Benefits Authority Joint Powers Agreement, and authorizing and directing the Marina Coast Water District to execute all necessary documents.

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

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Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

April 10, 2012

Resolution No. 2011 - 20  
Resolution of the Board of Directors  
Marina Coast Water District

Consenting to Join the Health Benefits Program of the ACWA Joint Powers Insurance Authority, Ratifying the Action of the ACWA Health Benefits Authority Board of Directors to Terminate the Health Benefits Authority Joint Powers Agreement, and Authorizing and Directing the Marina Coast Water District to Execute all Necessary Documents

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, this District entered into a joint exercise of powers agreement (“HBA”) with the Association of California Water Agencies Health Benefits Authority (“HBA”) in order to pool its purchasing needs with other public agencies desiring to provide their employees with comprehensive and economical health and welfare benefits; and,

WHEREAS, this District entered into a Health Benefits Memorandum of Understanding (“MOU”) to enroll in specific health programs and ancillary programs (“Existing Employee Benefits Coverage”) offered by HBA and agreed to abide by: (1) the HBA Agreement; (2) all rules and procedures established by HBA in the administration of the District’s Existing Employee Benefits Coverage; and (3) all underwriting, eligibility, and contribution requirements in Appendix A to the MOU; and,

WHEREAS, the District entered into a joint exercise of powers agreement (“JPIA Agreement”) with the Association of California Water Agencies Joint Powers Insurance Authority (“JPIA”) in order to pool its purchasing needs with other public agencies desiring to obtain comprehensive and economical public liability, workers’ compensation, unemployment, health, accident and/or dental, or property coverage; and,

WHEREAS, JPIA is both qualified and authorized by the laws of the State of California to administer the Existing Employee Benefits Coverage to this District through JPIA’s Employee Benefits Program; and,

WHEREAS, during a noticed special meeting held on February 6, 2012, the HBA Board of Directors unanimously voted to transfer all HBA operations and administrative functions to JPIA on or about July 1, 2012, and to pursue a merger of the two public agencies after which the HBA Agreement would be terminated; and,

WHEREAS, pursuant to Article 22 of the HBA Agreement, the HBA Agreement may be terminated by the HBA Board of Directors subject to ratification by the written consent of three-fourths of the HBA Member agencies within 90 days of the HBA Board’s action, provided, however, that HBA and the HBA Agreement shall continue to exist for the purpose of concluding all functions necessary to wind up HBA’s affairs; and,

WHEREAS, during a noticed regular meeting held on March 28, 2012, the HBA Board of Directors approved HBA Resolution 12-03-02: (1) electing to terminate the HBA Agreement pursuant to Article 22 of the HBA Agreement and, except as provided in clause 2 below, said termination shall become effective upon ratification by the written consent of three-fourths of the HBA member districts and agencies; (2) recognizing that pursuant to Article 22 of the HBA Agreement, HBA and the HBA Agreement shall continue to exist for the purpose of winding up and dissolving the business affairs of HBA, and acknowledge that the HBA Board of Directors is vested with all powers of HBA for doing the same; and (3) declaring that Resolution 12-03-02 shall take effect on April 1, 2012, thereby beginning the 90-day ratification period.

NOW, THEREFORE, BE IT RESOLVED that the Directors of the Marina Coast Water District does hereby:

1. Agree that the HBA Memorandum of Understanding referred to in the recitals above is incorporated in this resolution by reference.
2. Consent to join JPIA's Employee Benefits Program and acknowledge, represent, and agree that all terms and conditions of the HBA Memorandum of Understanding apply to the provision of this District's Existing Employee Benefits Coverage through JPIA.
3. Authorize and direct this District's President to cooperate fully with HBA and JPIA in the execution of any other documents and in the completion of any additional actions that may be necessary or appropriate for the purpose of ensuring that this District's Existing Employee Benefits Coverage continues without lapse through JPIA.
4. Ratify the action of the HBA Board of Directors to terminate the HBA Agreement, to be effective as provided in Article 22 of the HBA Agreement.
5. Direct the Secretary of the Board of this District to immediately send a certified copy of this resolution to: Association of California Water Agencies Healthy Benefits Authority, 4600 Northgate Blvd., Suite 100, Sacramento, California 95834.

PASSED AND ADOPTED on April 10, 2012, 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-20 adopted April 10, 2012.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: April 10, 2012

Submitted By: Kelly Cadiente  
Reviewed By: Carl Niizawa

Presented By: Kelly Cadiente

Agenda Title: Receive the Quarterly Financial Statements for October 1, 2011 to December 31, 2011

Detailed Description: All figures reported for the quarter are based on accrual basis accounting. The District's consolidated financial statement for the quarter includes revenues of \$3.041 million and expenses of \$2.626 million, resulting in net gain from operations of \$0.415 million. The District budget projected net gain from operations of \$0.434 million for the same period. The net gain from operations was lower than the budget expectation by \$0.019 million due to the timing of actual expenses incurred.

Summary of Cost Centers:

<b>Description</b>	<b>Actual Qtr</b>	<b>Budget Qtr</b>	<b>Actual FYTD</b>	<b>Budget FYTD</b>
<b>Marina Water</b>				
Revenue	901,960	961,100	2,006,995	1,922,200
Expenses	<u>595,963</u>	<u>601,187</u>	<u>1,024,142</u>	<u>1,202,375</u>
Net Gain	305,997	359,913	982,853	719,825
<b>Marina Sewer</b>				
Revenue	196,739	192,575	388,899	385,150
Expenses	<u>156,300</u>	<u>129,863</u>	<u>262,597</u>	<u>259,725</u>
Net Gain	40,439	62,712	126,303	125,425
<b>Ord Community Water</b>				
Revenue	1,487,770	1,373,750	2,806,384	2,747,500
Expenses	<u>1,342,967</u>	<u>1,288,894</u>	<u>2,210,350</u>	<u>2,577,787</u>
Net Gain	144,803	84,856	596,035	169,713
<b>Ord Community Sewer</b>				
Revenue	449,867	441,950	872,623	883,900
Expenses	<u>392,700</u>	<u>290,048</u>	<u>560,663</u>	<u>580,095</u>
Net Gain	57,167	151,902	311,960	303,805
<b>Recycled Water Project</b>				
Revenue	5,042	2,000	5,042	4,000
Expenses	<u>138,423</u>	<u>105,237</u>	<u>165,123</u>	<u>210,475</u>
Net Gain	(133,381)	(103,237)	(160,081)	(206,475)

<b>Description</b>	<b>Actual Qtr</b>	<b>Budget Qtr</b>	<b>Actual FYTD</b>	<b>Budget FYTD</b>
<b>Regional Project</b>				
Revenue	-	-	-	-
Expenses	-	122,527	-	245,055
Net Gain	-	(122,527)	-	(245,055)
<b>Consolidated Cost Centers</b>				
Revenue	3,041,377	2,971,375	6,079,944	5,942,750
Expenses	2,626,353	2,537,756	4,222,875	5,075,512
Net Gain	415,025	433,619	1,857,069	867,238

As of December 31, 2011, the District had \$16.765 million in liquid investments, and \$0.424 million of principal as internal loans to the Ord Community Cost Centers payable to the Marina Cost Centers. The District also had \$2.350 million of bond proceeds for construction purposes, \$3.084 million of 2006 bond proceeds and \$0.849 million of 2010 refunding bond proceeds for debt reserve purposes in the bank. The District owed \$38.925 million in debt for the 2006 revenue certificates of participation bond, \$7.690 million for the 2010 Refunding Bond, \$0.071 in FORA Promissory Note and \$2.228 for IOP Construction Loan.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact: \_\_\_\_\_ Yes     No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Quarterly Financial Statements, Investments and Debt Summary Statements.

Staff Recommendation: The Board of Directors receive the Quarterly Financial Statements for October 1, 2011 to December 31, 2011.

Action Required: \_\_\_\_\_ Resolution    \_\_\_\_\_ Motion     Review

Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

Noes \_\_\_\_\_

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-F

Meeting Date: April 10, 2012

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Jim Heitzman

Agenda Title: Approve the Expenditures for the Month of March 2012

Detailed Description: The Board of Directors is requested to approve the attached March 2012 check register for expenditures totaling \$1,481,534.86.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Goal No. 4 – To manage the District’s finances in the most effective and fiscally responsible manner.*

Financial Impact:     \_\_\_ Yes     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: Expenditures are allocated across the six cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04- Ord Sewer, 05-Recycled Water, 06-Regional Water.

Material Included for Information/Consideration: March 2012 Summary Check Register.

Staff Recommendation: The Board of Directors approve the March 2012 expenditures totaling \$1,481,534.86.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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Board Action

\_\_\_ Resolution No \_\_\_     Motion By \_\_\_     Seconded By \_\_\_

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

Reagendized \_\_\_     Date \_\_\_     No Action Taken \_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-G

Meeting Date: April 10, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of March 13, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of March 13, 2012.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:     \_\_\_Yes   \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of March 13, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the March 13, 2012 regular Board meeting.

Action Required:     \_\_\_Resolution   \_\_\_X\_\_\_Motion   \_\_\_Review

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Board Action

\_\_\_Resolution No\_\_\_     Motion By\_\_\_     Seconded By\_\_\_

Ayes\_\_\_     Abstained\_\_\_

Noes\_\_\_     Absent\_\_\_

Reagendized\_\_\_     Date\_\_\_     No Action Taken\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: April 10, 2012

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Carl Niizawa

Agenda Title: Consider Appointments to the Water Conservation Commission

Detailed Description: The Water Conservation Commission is authorized nine positions. Five positions are presently filled. The vacant positions are two public member positions, the Army position, and the CSUMB position. Mr. Carroll Meuse and Mr. Tom Jennings, residents of Marina, have submitted applications to be appointed as public members. The public positions are appointed for a term of two years.

Board of Directors Member (1):	Jan Shriner, Dan Burns (alternate)
City of Marina Council Member (1):	Jim Ford
Public Members (5):	Dan Amadeo Ruth Krotzer Harold Krotzer Vacant Vacant
Army Member (1):	Vacant
CSUMB Member (1):	Vacant

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Water Conservation Commission recommended Mr. Carroll Meuse for appointment at their February 2, 2012 meeting and pending recommendation of Mr. Tom Jennings for appointment at their April 5, 2012 meeting.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:     \_\_\_Yes   \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Applications for appointment to the Water Conservation Commission from Mr. Carroll Meuse and Mr. Tom Jennings.

Staff Recommendation: The Board of Directors considers appointing Mr. Carroll Meuse and Mr. Tom Jennings to the Water Conservation Commission.

Action Required:    \_\_\_\_\_Resolution      X  Motion    \_\_\_\_\_Review

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Board Action

\_\_\_\_\_Resolution No \_\_\_\_\_    Motion By \_\_\_\_\_    Seconded By \_\_\_\_\_

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

Noes \_\_\_\_\_    Absent \_\_\_\_\_

Reagendized \_\_\_\_\_    Date \_\_\_\_\_    No Action Taken \_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa  
Reviewed By: Jim Heitzman

Presented By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-21 to Authorize the General Manager and/or Deputy General Manager/District Engineer to Approve a Construction Contract with Monterey Peninsula Engineering for the Supervisory Control and Data Acquisition Improvements Phase 1 Project

Detailed Description: The Board of Directors is requested to authorize the General Manager and/or Deputy General Manager/District Engineer to approve a construction contract and project contingency with Monterey Peninsula Engineering for the Supervisory Control and Data Acquisition (SCADA) Improvements Phase 1 Project.

The Board previously approved going forward with the SCADA Improvement Phase 1 Project and authorized the hiring of TJC and Associates to provide a proposed solution to the operational communication issues currently affecting the District's SCADA System. SCADA Improvements Phase 1 is for fixing the current communication problems at four Hub Sites within the system. These sites relay vital operational and other communications from various wells, reservoirs and sewer lift stations to the SCADA Central Station at the Fort Ord Office. These drops in communication require frequent trips out to the actual site location by operation staff and/or other personnel to restore operational communications.

In February, TJC and Associates finalized a design for the solution of the communication issues and the District released for competitive bid the SCADA Improvements Phase 1 Project. On March 29, 2012, District staff opened bids submitted on the above mentioned project and Monterey Peninsula Engineering was the low bidder by submitting a project bid totaling \$308,000.

The work scope of the construction contract includes: (1) purchase and installation of new SCADA Remote Terminal Unit (RTU) hardware, programmable logic controller (PLC) hardware, radios and accessories (2) Programming and configuration of all site RTUs and interfacing with existing District components; (3) purchase and installation of all electrical equipment and other appurtenance; and, (4) Removal of existing ICL SCADAFLEX PLUS RTU, reprogramming of new Micrologix RTU, installation of new radios and reestablishing communication with remote sites and SCADA Central.

Staff is recommending an award of contract to Monterey Peninsula Engineering of \$308,000 plus a 10% project contingency of \$30,800 for a not-to-exceed project amount of \$338,800. The supplier of equipment for Monterey Peninsula Engineering for this project is EDCCO, who is a qualified firm for this work.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Resolution No. 2011-26 the Board approved a Professional Services Agreement with TJC & Associates to provide SCADA System services on April 12, 2011; Resolution No. 2011-43 the Board approved an amendment to Resolution No. 2011-26 for additional SCADA System services on June 14, 2011; Resolution No. 2011-42 the Board adopted the Central Marina Budget for FY 2011-2012 on June 14, 2011; Resolution No. 2011-36 the Board adopted the Ord Community Budget for FY 2011-2012 on September 16, 2011.

Board Goals/Objectives: – *Objectives 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.*

Financial Impact:      Yes      No

Funding Source/Recap: Funding for CIP WD-0115 SCADA Improvements Phase 1 Project will be from the Marina Water, Marina Sewer, Ord Water and Ord Sewer Reserves.

Material Included for Information/Consideration: Resolution No. 2012-21.

Staff Recommendation: The Board of Directors consider adopting Resolution No. 2012-21 to authorize the General Manager and/or Deputy General Manager/District Engineer to approve the construction contract and project contingency with Monterey Peninsula Engineering for the SCADA Improvements Phase 1 Project for a not-to-exceed amount of \$338,800.

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

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Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

April 10, 2012

Resolution No. 2012 - 21  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving a Construction Contract with Monterey Peninsula Engineering  
for the SCADA Improvements Phase 1 Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, a reliable Supervisory Control and Data Acquisition (SCADA) system is an essential tool for serving the Ord and Central Marina Communities with water and wastewater services which meet or exceed industry standards; and,

WHEREAS, operational communication of the existing SCADA system is an ongoing problem for the Operations and Maintenance Department; and,

WHEREAS, in Resolution No. 2011-26 and Resolution No. 2011-43 the Board of Directors authorized the approval of a Professional Services Agreement with TJC and Associates for consulting services relating to the District’s SCADA system; and,

WHEREAS, it is District staff’s recommendation that the Board of Directors implement the proposed communications solution from TJC and Associates; and,

WHEREAS, on March 29, 2012, District staff opened bids submitted for the SCADA Improvements Phase 1 Project and Monterey Peninsula Engineering was the low bidder by submitting a project bid totaling \$308,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager/District Engineer to execute a construction contract of \$308,000 with Monterey Peninsula Engineering for the SCADA Improvements Phase 1 Project and authorize a project contingency of \$30,800 and to take all actions and execute all documents as may be necessary or appropriate to give effort to this resolution, the total dollar amount of which shall not exceed \$338,800.

PASSED AND ADOPTED on April 10, 2012 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-21 adopted April 10, 2012.

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



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa

Presented By: Carl Niizawa

Reviewed By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-22 to Approve an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for Engineering Services Related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation

Detailed Description: The Board of Directors is requested to approve an amendment of the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers (Resolution No. 2011-29) to provide professional engineering services related to the construction of Watkins Well and associated pipeline for an amendment amount not-to-exceed \$94,170.

On April 12, 2011, the Board of Directors approved a professional services agreement with Schaaf & Wheeler Consulting Civil Engineers (Resolution No. 2011-29) in the amount of \$54,680. The scope included: survey and base mapping, soil investigation and geotechnical engineering, and preliminary design & report. And on May 10, 2011, the Board of Directors amended the professional services agreement (Resolution No. 2011-33) for the detailed design and construction documents; bid phase responses and clarifications; construction phase review of submittals and response to questions; and associated project management, meetings, and coordination in the amount of \$167,100, for a total project amount of \$221,780.

This amendment includes additional budget for design changes that became necessary due to aquifer information not being available until property access and acquisition issues were resolved and a test well could be constructed and developed. In order to keep the design effort on schedule, the equipment (pumps and electrical equipment) was sized based on the information available (prior to the test well) and had to be revisited and adjusted once the aquifer testing data could be provided. Additional work was also required for the new controls and SCADA system requirements required by District staff. These design changes were not anticipated in the original scope. Schaaf & Wheeler reports they have unbilled time for these changes amounting to \$45,550, but are requesting \$22,080 and will write down the remaining portion.

During the bidding phase more than anticipated questions, clarifications, and addenda were necessary as the amount of bidder questions was unknown at the time the budget for this phase was established. Schaaf & Wheeler exceeded the budget for this task by \$2,090.

During the construction phase more product submittal reviews and revisions were necessary than estimated. These reviews and clarifications have resulted in additional coordination with existing and planned District facilities, not originally anticipated within the contract scope. There have also been a number of unforeseen conditions (unmarked utility crossings, existing infrastructure conditions, etc.) discovered during construction that have required engineering

support and coordination. Schaaf & Wheeler has exceeded the budget for this phase by \$54,000 and has requested an increase of \$60,000 to cover expenses through project close out.

Additionally, this amendment includes budget for investigation and engineering services related to issues (discovered during construction of the Watkins Gate Well & Pipeline Project) related to a discovered defect found during the tie-in with the existing 24" transmission main built by the original developer of the East Garrison in 2007/2008. This transmission main has not been used by the District as it was intended to convey water from future eastern wells including the Watkins Gate Well. Schaaf & Wheeler has incurred costs to date and has requested a \$10,000 budget be established for engineering support to address this issue.

The total engineering design and construction administration expense including this amendment totals \$315,950. Outside of the \$10,000 needed for the investigation of the existing pipeline, the total for this contract with amendments represents 18% of the construction cost.

Based on the information provided by Schaaf & Wheeler, they are not pursuing, and will write off approximately 30% of the overages experienced.

Well 34 installation is part of the Eastern Distribution Project and is partially supported by a Proposition 50 grant, including this contract amendment.

Environmental Review Compliance: In Resolution No. 2011-31, the Board adopted the Initial Study/Mitigated Negative Declaration and Adopt the Mitigation Monitoring and Report Program for a Marina Coast Water District Watkins Gate Well & Pipeline.

Prior Committee or Board Action: Resolution No. 2011-29 the Board authorized a Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers and in Resolution No. 2011-33 the Board amended the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for Engineering Services Related to the Eastern Distribution System Watkins Gate Well Installation.

Board Goals/Objectives: *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.*

Financial Impact:     \_\_\_X\_\_\_Yes     \_\_\_\_\_No

Funding Source/Recap: The amount of \$94,170 is part of CIP No. OW-116 approved in the FY 2010/11 Budget and will be funded from Ord Water Reserves and used as District matching funds for the Proposition 50 Grant.

Material Included for Information/Consideration: Resolution No. 2012-22.

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-22 that authorizes the General Manager and/or Deputy General Manager/District Engineer to amend the a Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for engineering

services related to the Eastern Distribution System Watkins Gate Well and associated Pipeline for an Amendment Amount Not-to-Exceed \$94,170.

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

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Board Action

Resolution No      Motion By      Seconded By

Ayes      Abstained

Noes      Absent

Reagendized      Date      No Action Taken

April 10, 2012

Resolution No. 2011-22  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending the Professional Services Agreement with  
Schaaf & Wheeler Consulting Civil Engineers for Engineering Services  
Related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation  
for an Amendment Amount Not-to-Exceed \$94,170

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Salinas Valley Integrated Water Management Plan was approved on March 20, 2007 to receive Proposition 50 funds from the State Water Resources Control Board and is expected to reimburse a portion of the District costs for replacement wells from the pressure zone; and,

WHEREAS, in Resolution No. 2011-29 the Board authorized signature of a Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for the Watkins Gate and Pipeline/Eastern Distribution System Project; and,

WHEREAS, in Resolution No. 2011-33 the Board approved an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for Engineering Services Related to the Eastern Distribution Project Watkins Gate Well & Pipeline Installation; and,

WHEREAS, due to needed design changes and complications which occurred during construction for Watkins Gate Well and associated pipeline, additional costs for engineering design and construction management support requires an amendment to the Schaaf & Wheeler Consulting Engineers contract for this work.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby Authorize the General Manager and/or Deputy General Manager/District Engineer to amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for engineering services related to the construction of a well and pipeline near the intersection of former Ft. Ord road “Watkins Gate Road” and Reservation Road; and, to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, for an Amendment Amount Not-to-Exceed \$94,170.

PASSED AND ADOPTED on April 10, 2012 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-22 adopted April 10, 2012.

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa  
Reviewed By: Jim Heitzman

Presented By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-23 to Approve an Amendment to the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers for General Engineering Services Related to the Eastern Distribution Project Well No. 34 Installation

Detailed Description: The Board of Directors is requested to approve an amendment of the Professional Services Agreement with Schaaf & Wheeler Consulting Civil Engineers (Resolution No. 2012-23) for professional engineering services related for the construction of Well No. 34 and associated improvements in Eastern Distribution Project for an amendment amount not-to-exceed \$10,000.

The original scope included detailed design and construction documents; bid phase responses and clarifications; construction phase review of submittals and response to questions; and associated project management, meetings, and coordination.

This amendment includes additional budget for construction phase product submittal review, revisions, and coordination not anticipated within the original contract scope. The majority of the unanticipated effort is related to the design and specification of the Well No. 34 Control System and communication system which was revised to meet the new Supervisory Control and Data Acquisition System (SCADA) standards.

Well No. 34 installation is part of the Eastern Distribution Project and partially supported by a Proposition 50 grant, including this contract amendment.

The original General Services Contract (2007-04) was executed in February 2007 and, since that time, there have been multiple amendments for services provided on various District needs and projects. To date, there have been twenty-six executed amendments that have accrued a total contract value of \$2,379,426. The addition of this amendment will bring the total contract value to \$2,389,426 of which \$206,484 is attributable to Well No. 34 of the Eastern Distribution Project.

Environmental Review Compliance: An Initial Study/Negative Declaration for the Well No. 32 Replacement/Eastern Distribution Project and Mitigation Monitoring and Reporting Program was completed and adopted via Board Resolution No. 2009-11, on February 10, 2009.

Prior Committee or Board Action: January 2007, the Board adopted Resolution No. 2007-04 to approve a Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers. The Board last amended the baseline PSA with Resolution No. 2011-63 on August 9, 2011.

Board Goals/Objectives: *Objectives 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.*

Financial Impact:      Yes      No

Funding Source/Recap: Funding for CIP OW-0170 is through a State of California Water Resources Control Board Proposition 50 Grant and Ord Water Cost Center Reserves.

Material Included for Information/Consideration: Resolution No. 2012-23.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-23 to amend the Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers for the Well No. 34 Installation for an amendment amount not-to-exceed \$10,000.

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

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Board Action

\_\_\_\_\_ Resolution No \_\_\_\_\_ Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_

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

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

Reagendized \_\_\_\_\_ Date \_\_\_\_\_ No Action Taken \_\_\_\_\_

April 10, 2012

Resolution No. 2012-23  
Resolution of the Board of Directors  
Marina Coast Water District

Amending the Professional Services Agreement for General Engineering Services with  
Schaaf & Wheeler Consulting Civil Engineers for the Well No. 34 Installation  
an Amendment Amount Not-to-Exceed \$10,000

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the completion of the Well No. 34 project is necessary in order for the District to continue to receive Proposition 50 Funding; and,

WHEREAS, the Board approved a Professional Service Agreement with Schaaf & Wheeler Consulting Engineers for General Engineering Services, Resolution No. 2007-04; and,

WHEREAS, the last amendment to the base-line contract was approved by the Board through adoption of Resolution No. 2011-63; and,

WHEREAS, the Schaaf and Wheeler General Engineering Services Agreement (2007-04) has been amended to a total value of \$2,379,426. The addition of this Amendment would bring the total contract value to \$2,389,426, of which \$206,484 is attributable to Well 34 Eastern Distribution Project; and,

WHEREAS, authorization of this amendment is necessary to complete the work for replacement of Well No. 32 with the proposed Well No. 34.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the adoption of Resolution No. 2012-23 to Amend the Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers for the Well No. 34 Installation Project, for an amendment amount not-to-exceed \$10,000.

PASSED AND ADOPTED on April 10, 2012 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 \_\_\_\_\_



\_\_\_\_\_  
Dan Burns, 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. 2012-23 Adopted April 10, 2012.

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa  
Reviewed By: Jim Heitzman

Presented By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-24 to Approve a Professional Services Agreement with Gauger + Associates for Public Outreach Services

Detailed Description: The Board of Directors is requested to consider adoption of Resolution No. 2012-24 to authorize a Professional Services Agreement with Gauger + Associates for Public Outreach Services for a not-to-exceed amount of \$10,000.

At the December 13, 2011 Board meeting the Directors authorized a Professional Services Agreement with Tramutola, LLC for Public Outreach Services. During the four months of the contract, outreach support has been proficiently handled through the talents of Marcus Young of Gauger + Associates, a subconsultant to Tramutola. Tramutola, with the recent departure of Executive Vice President Bonnie Moss, and with the work for the District being capably done by Marcus Young, has requested that the District directly contract with Gauger + Associates.

The need for public outreach was also recently realized for the Ord Community Annexation.

Given the need for public outreach services for the Ord Annexation, the fine work accomplished by Marcus Young, and the request by Tramutola for the District to directly contract with Gauger + Associates; it is recommended that the Board of Directors award a contract to Gauger + Associates for Public Outreach Services in an amount not to exceed \$10,000. The work will be done as directed by the General Manager on a time and material basis.

Environmental Review Compliance: Not required.

Prior Committee or Board Action: On December 13, 2011 the Board of Directors adopted Resolution No. 2011-91 - authorizing a Professional Services Agreement with Tramutola, LLC for a not-to-exceed amount of \$25,000.

Board Goals/Objectives: *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.*

Financial Impact:      Yes      No

Funding Source/Recap: These services will be funded from District reserves.

Material Included for Information/Consideration: Resolution No. 2012-24.

Staff Recommendation: The Board of Directors consider adopting Resolution No. 2012-24 Authorizing the General Manager and/or Deputy General Manager/District Engineer to enter into a Professional Services Agreement with Gauger + Associates for a not-to-exceed work amount of \$10,000.

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

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Board Action

Resolution No  Motion By  Seconded By

Ayes  Abstained

Noes  Absent

Reagendized  Date  No Action Taken

April 10, 2012

Resolution No. 2012 - 24  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing a Professional Services Agreement with Gauger + Associates  
for Public Outreach Services For a Not-To-Exceed Amount of \$10,000

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District is in need of services related to public outreach activities to facilitate public communications for the District’s efforts with the Ord Community Annexation; and,

WHEREAS, at the December 13, 2011 Regular Board Meeting, the Directors adopted Resolution No. 2011-91 - Authorizing a Professional Services Agreement with Tramutola, LLC for a Not-to-Exceed amount of \$25,000; and,

WHEREAS, Gauger + Associates working as a subconsultant to Tramutola has performed well with the District with public outreach services; and,

WHEREAS, Tramutola has requested that Marina Coast Water directly contract with Gauger + Associates; and,

WHEREAS, Gauger + Associates is an experienced public outreach firm and can provide the level of expertise, guidance and assistance required to meet the District’s public outreach needs.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager/District Engineer to enter into a Professional Services Agreement with Gauger + Associates for Public Outreach Services and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, for a total dollar amount not-to-exceed \$10,000.

PASSED AND ADOPTED on April 10, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

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

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

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

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

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Dan Burns, 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. 2012-24 adopted April 10, 2012.

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Jim Heitzman, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-F

Meeting Date: April 10, 2012

Submitted By: Carl Niizawa  
Reviewed By: Jim Heitzman

Presented By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution 2012-25 to Approve the Phase II of the Eastern Distribution System Project for Additional Groundwater Wells

Detailed Description: As the first phase of the Eastern Distribution System Project is nearing completion, there is a need to initiate implementation of the next phase. The next phase will be for additional groundwater wells to augment the existing District well field. For budgeting purposes, it is estimated that the initial engineering planning and environmental work will cost \$250,000 with \$20,000 to be spent in this fiscal year and the remaining \$230,000 over FY 2012-13.

It is requested that the Board approve the second phase of Eastern Distribution System Capital Improvement Project.

Board Goals: *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.*

Financial Impact:  Yes  No

Funding Source/Recap: Ord Water Reserve

Material Included for Information/Consideration: Resolution No. 2012-25.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-25 to approve the amended Eastern Distribution System capital improvement project.

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

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Board Action

Resolution No  Motion By  Seconded By

Ayes  Abstained

Noes  Absent

Reagendized  Date  No Action Taken

April 10, 2012

Resolution No. 2012-25  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving the Phase II of the Eastern Distribution System Project  
for Additional Groundwater Wells

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 10, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the first phase of the Eastern Distribution System Capital Improvement Project is nearing completion; and,

WHEREAS, the District needs to plan for new groundwater wells to insure adequate supply of potable water in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the second phase of the Eastern Distribution System Project Capital Improvement Project for additional groundwater wells.

PASSED AND ADOPTED on April 10, 2012, 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 \_\_\_\_\_

\_\_\_\_\_  
Dan Burns, 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. 2012-25 adopted April 10, 2012.

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-G

Meeting Date: April 10, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consider a Nomination for the California Special Districts Association Board of Directors District 3 Seat A Position

Detailed Description: The Board of Directors is requested to consider a nomination for the California Special Districts Association (CSDA) Board of Directors District 3 Seat A position.

On February 24, 2012, the CSDA sent a letter calling for nominations for the Seat A position in District 3. All nominations are due to CSDA by 5:00 pm May 25, 2012.

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration.

Any regular member Independent Special District is eligible to nominate one person, a board member or managerial employee for election to the CSDA Board of Directors.

After the nominations are received, CSDA will mail ballots to the Independent Special Districts on June 8, 2012 and the original ballots must be received back by the CSDA by 5:00 pm on August 3, 2012.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Mission Statement – Providing high quality water, wastewater and recycled water services to the District's expanding communities through management, conservation and development of future resources at reasonable costs.*

Financial Impact:  Yes  No

Funding Source/Recap: None.

Material Included for Information/Consideration: February 24, 2012 letter from CSDA calling for nominations for the California Special Districts Association Board of Directors District 3 Seat A position with the Nomination Form and map of the CSDA regions.

Staff Recommendation: The Board is requested to consider a nomination for the California Special Districts Association Board of Directors District 3 Seat A position.



Action Required:    \_\_\_\_\_Resolution      X  Motion    \_\_\_\_\_Review

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Board Action

\_\_\_\_\_Resolution No\_\_\_\_\_    Motion By\_\_\_\_\_    Seconded By\_\_\_\_\_

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

Noes \_\_\_\_\_    Absent \_\_\_\_\_

Reagendized \_\_\_\_\_    Date \_\_\_\_\_    No Action Taken \_\_\_\_\_

Marina Coast Water District  
Staff Report

Agenda Item: 10-A

Meeting Date: April 10, 2012

Prepared By: Carl Niizawa

Presented By: Carl Niizawa

Reviewed By: Jim Heitzman

Subject: Update on Estimated District Costs Involved with Marina Teen Center

Summary: This is an update of the estimated District costs incurred while resolving the Marina Teen Center noncompliance issue.

District staff has spent considerable time with the City of Marina Teen Center in review of plans and re-submittals, and follow-up work involving project non-compliance. The total cost for District staff time on this project at listed staff rates is estimated to be \$11,502.30. Of this amount, staff cost for time in the amount of \$8,226.30 for review of plans and re-submittals up to the week of November 5, 2010 have been invoiced to the City of Marina.

Since the week of November 5, 2010, District staff has performed many activities directly related to the Marina Teen Center Project noncompliance issue resolution. The cost of this effort, primarily by the District's Assistant Engineer at the applicable hourly rate, is conservatively estimated to be \$3,276. Below is a detailed accounting for this estimate.

1. District staff began the initial process of determining construction costs associated with the outstanding work. A quote and revisions of scope of work were obtained from a contractor starting late November through the first week of December, 2010. A few emails were also exchanged with City of Marina (City) staff in late December, 2010 and early January, 2011. 3 hours at (\$34.90/hour) = \$105.
2. In early February, 2011, requests by the City for the District to provide information to the City began again. This lasted for about a week and the requests were related to determining capacity charges and other District related fees. 5 hours (3 hours at \$34.90/hour and 2 hours at \$74.00/hour) = \$253.
3. From April to mid-June, 2011 work went into writing a scope of work, visiting the site with contractors, and working with contractors to verify/clarify work scope and costs associated with the quotes. This along with other minor activities such as invoicing and Board Agenda Item transmittals amounted to 20 hours (15 hours at \$34.90/hour, 5 hours at \$74.00/hour) = \$894.
4. District staff began discussions with the City regarding the contractor quotes (emails and face-to-face meetings). Also discussed was the scope of work, selection of a contractor, who pays for change orders, and other contracting and project management items. This was done in conjunction with internal memos, emails, and face-to-face meetings relaying information from the City to the District and vice versa. This lasted from late June to

early November, 2011. 25 hours of work (20 hours at \$60.78/hour, 5 hours at \$76.68/hour) = \$1,599.

5. A Staff Report was written for the March Board Meeting on the activities and timeline of events (relating to the Teen Center noncompliance) from June 2010 to the day the transmittal was written. This Staff Report was written for the April Board Review on the costs associated with the Marina Teen Center. 7 hours at \$60.78/hour for a cost of about \$425.

The sum of these additional total costs due to the non-compliance issue from November 5, 2010 to the day of this transmittal is about \$3,276. This is a conservative estimate, as there has been miscellaneous staff time not accounted for above. This estimate also does not include any time spent by the General Manager or the Deputy General Manager/District Engineer in coordination or discussion of these issues such as Joint District-City Meetings at which the Teen Center was addressed.

Marina Coast Water District  
Staff Report

Agenda Item: 10-B

Meeting Date: April 10, 2012

Prepared By: Jean Premutati

Presented By: Jim Heitzman

Reviewed By: Jim Heitzman

Subject: Review of District Workplace Violence Policy and Recommendations from Marina Chief of Police

Summary: As requested by Director Shriner, the Board is asked to review the District policy regarding workplace violence and training and consider recommendations of Chief Rodriguez, City of Marina Police Department.

Director Shriner met with Chief Rodriguez who has offered his office and services to help mediate for people who have strong, non-productive or ongoing disagreements. Chief Rodriguez recommended that this is a good time for the Board to review with all of the elected and appointed officials the policies of the District in regards to violence in the workplace.

While the Board Procedures Manual does not specifically address this issue, the District Employee Handbook contains a workplace violence policy approved by the Board in November 2008 by Resolution No. 2008-57. Staff was very proactive in developing this policy including inviting a representative from the Monterey County Sheriff's Department to perform a worksite analysis for risk and make recommendations to enhance security at the Beach Office during the 2009 remodel. In addition, workplace violence training was conducted for all District staff. Subsequent to the workplace violence training, District staff also received training in the following areas:

Communication Skills  
Respect in the Workplace  
Drugs and Alcohol

Diversity  
Verbal Judo

Additionally, all supervisors and managers receive 2 hours of mandatory sexual harassment training every two years as required by AB 1825. The most recent training for supervisors and managers was conducted by JPIA in January 2011 at which time the District also added the Employee Assistance Program (EAP) benefit for all employees and family members. The EAP provides confidential, professional assistance when personal problems affect an employee's life and work. The EAP encourages employees to use services early in the progression of a problem before a situation significantly impacts someone's work or personal life.

Attachments:

Policy No. 3.2 – Harassment

Policy No. 3.3 – Governmental Administrative Remedies for Discrimination and Harassment

Policy No. 3.9 – Drug-Free/Alcohol-Free Workplace

Policy No. 3.13 – Workplace Violence and Security, and Monitoring