



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: 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, August 14, 2012, 6:00 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, August 9, 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 September 11, 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

3) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019

- B. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case – MCWD Claims against Monterey County and MCWRA
- C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)
Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
One Case – Claims of MCWRA and Monterey County against MCWD
- 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

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. Presentations

- A. Consider Adoption of Resolution No. 2012-50 in Recognition of Mr. Mark Duplissie, System Operator I, for 15 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2012-50 recognizing Mr. Mark Duplissie, System Operator I, and awarding him a plaque and gift certificate for fifteen years of service to the Marina Coast Water District.

- B. Consider Adoption of Resolution No. 2012-51 in Recognition of Ms. Lizet Ybarra, Accountant I, for 10 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2012-51 recognizing Ms. Lizet Ybarra, Accountant I, and awarding her a plaque and gift certificate for ten years of service to the Marina Coast Water District.

- C. Consider Adoption of Resolution No. 2012-52 in Recognition of Mr. Warren Foster, System Operator II, for 5 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2012-52 recognizing Mr. Warren Foster, System Operator II, and awarding him a plaque and gift certificate for five 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. Adopt Resolution No. 2012-53 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program
- B. Approve the Expenditures for the Month of July 2012
- C. Approve the Draft Minutes of the Regular Board Meeting of July 10, 2012
- D. Approve the Draft Minutes of the Special Board Meeting of July 25, 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 Adoption of Resolution Nos. 2012-38 (Ord Community Compensation Plan), and 2012-39 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the Budget for FY 2012-2013

Action: The Board of Directors will consider adopting the Ord Community portion of the budget for FY 2012-2013.

B. Consider Receiving the Classification and Total Compensation Study

Action: The Board of Directors will consider receiving the classification and total compensation study.

C. Discuss Placing the Water/Wastewater Oversight Committee on the Committee and Board Liaison Reports List

Action: The Board of Directors will discuss whether to add the Water/Wastewater Oversight Committee to the Committee and Board Liaison Reports list.

10. Staff Report

A. Receive a Report on Review of Individual Unit Metering Requirement for Multi-Family Residential Units

B. Receive a Report on the Status of the MCWD Ord Office Landscape Project

C. Receive an Update on Marina Teen Center Compliance

D. Receive an Update on Imjin Office Park Property Marketing

E. Receive a Report on the District's Travel Reimbursement Policy

F. Receive Information on the Status of Scanning Historical Documents of the District

G. Receive 1st and 2nd Quarter 2012 Ord Community Water Consumption and Sewer Flow Report

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

7. FORA

2. Joint City-District Committee

8. LAFCO Liaison

3. Budget & Personnel Committee

9. JPIA Liaison

4. Executive Committee

10. Special Districts Association Liaison

5. Community Outreach

11. CalDesal

6. MRWPCA Board Member

12. Director's Comments

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

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

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-A

Meeting Date: August 14, 2012

Submitted By: James Derbin

Presented By: Jim Heitzman

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-50 in Recognition of Mr. Mark Duplissie, Systems Operator I, for 15 Years of Service to the Marina Coast Water District

Detailed Description: The Board is requested to adopt a resolution approving a plaque and gift certificate to Mr. Mark Duplissie, Systems Operator I, who has reached his fifteen year anniversary with the District.

The District hired Mark on July 24, 1997 and this month celebrates his fifteen year anniversary with the District. He has earned his Water Treatment and Distribution Grade I certifications. Mark is scheduled to take the upcoming California Water Environment Association Collections Grade II exam.

Mark is distinguished within the Operations and Maintenance Department as an operator which possesses a keen mechanical aptitude and ability to design and fabricate shop solutions using his welding skills for water and wastewater repairs, and equipment lifting and storage. Mark is also one of three backhoe operators currently on staff with the District and is often complimented by outside contractors and professionals on his heavy equipment operation skills.

Mark is a loyal employee who is well-respected and admired by his fellow employees, and District customers. The District is honored to have Mark as one of its valued employees 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, Objective No. 2G – Develop a Plan that improves employee work environment in a cost effective manner.*

Financial Impact: Yes No

Funding Source/Recap: Expenditures for service awards are allocated across four cost centers; 01-Marina Water, 02-Marina Sewer, 03-Fort Ord Water, and 04-Fort Ord Sewer

Material Included for Information/Consideration: Resolution No. 2012 -50.

August 14, 2012

Resolution No. 2012 - 50
Resolution of the Board of Directors
Marina Coast Water District
Recognizing Mr. Mark Duplissie, System Operator I,
For 15-Years of Service to MCWD

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on August 14, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Mr. Mark Duplissie joined the District on July 24, 1996; and,

WHEREAS, Mark’s specialties include welding, backhoe operation, metal shop design and fabrication; and,

WHEREAS, Mark has earned his Water Treatment and Distribution Grade I Certifications; and,

WHEREAS, Mark is a loyal employee who is well-respected and admired by his fellow employees, and District customers.

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

PASSED AND ADOPTED on August 14, 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. 2012-50 adopted August 14, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-B

Meeting Date: August 14, 2012

Submitted By: Kelly Cadiente

Presented By: Jim Heitzman

Reviewed by: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-51 in Recognition of Lizet Ybarra, Accountant I, and Awarding a Plaque and Gift Certificate for 10 Years of Service to MCWD

Detailed Description: Lizet Ybarra began employment with the District as an Accounting Technician on August 1, 2002. In 2003, while working as an Accounting Technician, Lizet obtained her Associate's Degree in Applied Science – Accounting.

Following the District's reorganization of the Accounting Department in 2011, Lizet fulfilled the requirements and was promoted to Accountant I. Lizet's primary duties as Accountant I are the performance of all payroll and accounts payable functions of the District. In addition, Lizet monitors the daily cash flow needs of the District and provides various statistical reports during the annual budget process and fiscal year end close as well as for grant and project reporting.

Lizet is a very loyal and conscientious employee and is always very helpful in providing service to the District's employees, vendors and customers. It is therefore with great pleasure that the District recognizes Lizet Ybarra's ten years of service to the Marina Coast Water District, and wishes her well in her continued service to the District.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Objective No. 2G – Develop a Plan that improves employee work environment in a cost effective manner.*

Financial Impact: Yes No

Funding Source/Recap: Expenditures for service awards are allocated across four cost centers; 01-Marina Water, 02-Marina Sewer, 03-Fort Ord Water, and 04-Fort Ord Sewer.

Material Included for Information/Consideration: Resolution No. 2012-51.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-51 in recognition of Lizet Ybarra, Accountant I, and awarding a plaque and gift certificate for 10 Years of service to MCWD.

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

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

August 14, 2012

Resolution No. 2012-51
Resolution of the Board of Directors
Marina Coast Water District
Recognizing Lizet Ybarra, Accountant I,
For 10-Years of Service to MCWD

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on August 14, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Lizet Ybarra joined the District on August 1, 2012 as an Accounting Technician; and,

WHEREAS, While working as an Accounting Technician, Lizet earned an Associate’s Degree in Applied Science - Accounting; and,

WHEREAS, following the District’s reorganization of the Accounting Department in 2011, Lizet fulfilled the requirements and was promoted to Accountant I; and,

WHEREAS, over the past ten years, Lizet has been a very loyal and conscientious employee of the District and very helpful in providing service to the District’s employees, vendors and customers.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby express its gratitude and recognizes Lizet Ybarra for ten years of service to the Marina Coast Water District, presents her with a plaque and gift certificate, and wishes her continued success with the District.

PASSED AND ADOPTED on August 14, 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. 2012-51 adopted August 14, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-C

Meeting Date: August 14, 2012

Submitted By: James Derbin

Presented By: James Derbin

Reviewed by: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2012-52 in Recognition of Mr. Warren Foster, System Operator II, and Awarding a Plaque and Gift Certificate for 5 Years of Service to MCWD

Detailed Description: Warren Foster began employment with the District as a Meter Reader on July 23, 2007. Warren immediately applied himself to his work as a Meter Reader and started his studies in water distribution and treatment. While working as a Meter Reader, Warren passed his Water Distribution Grades I and II and earned his Water Treatment Grade I. As a result of his effort and discipline, in October of 2011, he was promoted to the position of System Operator II.

Following Warren's recent promotion, he immediately began his studies to earn his Water Treatment Grade II Certification. Shortly after finishing the Sacramento State University Water Treatment Volume II course, he passed his Water Treatment Operator Grade II certification exam. Warren is scheduled to take the upcoming CWEA Collections Grade I exam.

Warren is always available to assist his coworkers or take on a new project. Warren possesses great potential in the field of water distribution and treatment and is truly an asset to the District.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *Strategic Plan, Objective No. 2G – Develop a Plan that improves employee work environment in a cost effective manner.*

Financial Impact: Yes No

Funding Source/Recap: Expenditures for service awards are allocated across four cost centers; 01-Marina Water, 02-Marina Sewer, 03-Fort Ord Water, and 04-Fort Ord Sewer.

Material Included for Information/Consideration: Resolution No. 2012-52.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-52 in recognition of Mr. Warren Foster, System Operator II, and awarding a plaque and gift certificate for 5 Years of service to MCWD.

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

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

August 14, 2012

Resolution No. 2012-52
Resolution of the Board of Directors
Marina Coast Water District
Recognizing Mr. Warren Foster, System Operator II,
For 5-Years of Service to MCWD

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on August 14, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Warren Foster joined the District on July 23, 2007 as a Meter Reader; and,

WHEREAS, while working as a Meter Reader, Warren studied for and earned licensing in Water Treatment and Distribution; and,

WHEREAS, in October 2011, as a result of his efforts, Warren was promoted to Systems Operator II in the Operations and Maintenance Department; and,

WHEREAS, in 2011, Warren passed the Water Treatment Grade II certification; and,

WHEREAS, over the past five years, Warren’s certification accomplishments have been accompanied with steady improvement of his skills related to water distribution, water treatment, and wastewater collection system operations.

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

PASSED AND ADOPTED on August 14, 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. 2012-52 adopted August 14, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: August 14, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Adopt Resolution No. 2012-53 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program
- B) Approve the Expenditures for the Month of July 2012
- C) Approve the Draft Minutes of the Regular Board Meeting of July 10, 2012
- D) Approve the Draft Minutes of the Special Board Meeting of July 25, 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.)

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: August 14, 2012

Submitted By: James Derbin

Presented By: James Derbin

Reviewed By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2012-53 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

Detailed Description: The Board of Directors shall consider adopting resolution No. 2012-53 approving a Memorandum of Understanding (MOU) between the Marina Coast Water District and the Monterey Peninsula Unified School District regarding the In-School Water Conservation Education Program.

The Monterey Peninsula Unified School District and MCWD have worked together for more than eleven years to bring water conservation education to students in the District. This agreement strengthens this relationship between the two partners and provides the means to integrate water conservation instruction into the curriculum at each elementary school in the MCWD service area for the 2012-2013 School Year.

This MOU formalizes the planning and execution of the water conservation education program for the coming year. The instructor will develop and schedule instruction for over 65 classes to more than 1,500 students, teachers and staff. The water conservation instruction provided meets the state academic curriculum standards.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Water Conservation Commission reviewed this item on August 2, 2012 and recommended forwarding it to the Board for consideration.

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: This item is funded through FY 2012/13 Conservation Budget of the Central Marina and Ord Community cost centers.

Material Included for Information/Consideration: Resolution No. 2012-53; and, Draft MOU between MCWD and Monterey Peninsula Unified School District.

August 14, 2012

Resolution No. 2012 - 53
Resolution of the Board of Directors
Marina Coast Water District
Approving a Memorandum of Understanding
Between Marina Coast Water District and the Monterey Peninsula Unified School District
Regarding In-School Water Conservation Education Program With Wage and Benefit
Reimbursements Not to Exceed \$21,000

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on August 14, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, MCWD has developed a Memorandum of Understanding (MOU) with the Monterey Peninsula Unified School District regarding the In-School Water Conservation Education Program that will facilitate the teaching of water conservation education; and,

WHEREAS, the MOU is an agreement to formalize planning and execution of the In-School Water Conservation Education Program; and,

WHEREAS, water conservation is within the District’s Mission and the funding for this MOU is included in the District’s budget for FY 2012/2013 under Conservation Education with a not to exceed amount of \$21,000.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the proposed Memorandum of Understanding regarding the In-School Water Conservation Education Program.

BE IT FURTHER RESOLVED, that the Board of Directors does hereby authorize the General Manager or the Deputy General Manager/District Engineer to sign the MOU.

PASSED AND ADOPTED on August 14, 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. 2012-53 adopted August 14, 2012.

Jim Heitzman, Secretary

MEMORANDUM OF UNDERSTANDING

Between

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

And

MARINA COAST WATER DISTRICT

This agreement is between the Monterey Peninsula Unified School District (MPUSD) and the Marina Coast Water District (MCWD) for the 2012-2013 school year.

The terms and conditions set forth in this document shall constitute the entire agreement between MPUSD and MCWD and may not be amended except by a written document signed by both parties.

The parties agree to the following:

1. MCWD agrees to fully fund a part time science teacher position (not to exceed a total of \$21,000, and paid at a rate of \$30.08 per hour plus statutory benefits) for the 2012-2013 school year.
2. This teacher will teach the water science and water conservation awareness program in all the elementary schools within the MCWD service area during the 2012-2013 school year.
3. MPUSD will send a monthly invoice of the science teacher's monthly salary and benefit costs for reimbursement to the -MCWD, Attn. Paul Lord, 11 Reservation Rd., Marina, 93933.
(Email: plord@mcwd.org, Tel: 883-5905, FAX: 384-0197)
The final invoice is to be processed prior to July 1, 2013.
4. The MCWD shall submit a check within 30 days of invoice receipt made payable to the Monterey Peninsula Unified School District and sent to: Attn. Christine Reyes, P.O. Box 1031, Monterey, CA 93942-1031.
5. The payment will be deposited in an account dedicated for this purpose only.
6. The position shall be filled through MPUSD's established hiring process and shall be an employee of MPUSD and shall be entitled to the same rights, privileges and applicable benefits as other MPUSD employees.

The term of this MOU is for 2012-2013 school year only.

MARINA COAST WATER DISTRICT

MONTEREY PENINSULA UNIFIED SCHOOL
DISTRICT

Carl Niizawa
Deputy General Manager
11 Reservation Road
Marina, CA 93933

Susan H. Ziebell
Director of Business Services
P.O. Box 1031
Monterey, CA 93942-

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: August 14, 2012

Submitted By: Kelly Cadiente
Reviewed By: Jim Heitzman

Presented By: Kelly Cadiente

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

Detailed Description: The Board of Directors is requested to approve the attached July 2012 check register for expenditures totaling \$960,514.91.

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: July 2012 Summary Check Register.

Staff Recommendation: The Board of Directors approve the July 2012 expenditures totaling \$960,514.91.

Action Required: ___ Resolution ___ **X** ___ Motion ___ Review

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-C

Meeting Date: August 14, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of July 10, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of July 10, 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 July 10, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the July 10, 2012 regular Board meeting.

Action Required: ___Resolution ___X___Motion ___Review

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-D

Meeting Date: August 14, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of July 25, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of July 25, 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 July 25, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the July 25, 2012 special Board meeting.

Action Required: ___ Resolution ___ **X** ___ Motion ___ Review

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: August 14, 2012

Submitted By: Kelly Cadiente
Reviewed By: Carl Niizawa

Presented By: Kelly Cadiente

Agenda Title: Consider Adoption of Resolution Nos. 2012-38 (Ord Community Compensation Plan), 2012-39 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the Budget for FY 2012-2013

Detailed Description: The Board is requested to adopt the District FY 2012-2013 budgets, rates, fees and charges for the Ord Community Area. This includes Resolution No. 2012-38, the Ord Community Budget but excludes the capacity charges and capital surcharges and Resolution No. 2012-39 which includes the Capital Elements of the Ord Community Budget.

The Fort Ord Reuse Authority (FORA) Board is also required to approve the District's Ord Community annual budget. On March 15, 2012, the draft Ord Community budget was distributed and discussed with the FORA Water/Wastewater Oversight Committee (WWOC). On April 18, 2012 and May 16, 2012, the draft Ord Community budget was again distributed and discussed with the FORA WWOC. On May 30, 2012 the draft Ord budget presentation was discussed at the Joint FORA Administrative/WWOC committee meeting and the committee recommended adoption of the District's Ord Community budget to FORA Board. On June 8, 2012, the draft Ord Community budget was slated for presentation to FORA Board for approval but was tabled to FORA's next regular Board meeting. Staff presented the FY 2012-2013 Ord Community budget and rates to the FORA Board at their normal and special meetings on July 13th and July 26th. At both meetings the FORA Board failed to approve the budgets and rates.

The District is currently operating without a budget for the Ord Community.

Staff recommends adopting Resolution Nos. 2012-38 and 2012-39 to adopt the Ord Community water and wastewater budgets and rates for FY 2012-2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board received the Draft FY 2012-2013 Budget and Budget Schedule on March 13, 2012; The Board held a Budget Workshop on March, 29, 2012; The Board received a revised Draft FY 2012-2013 Budget on May 8, 2012.

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: All Accounts

Material Included for Information/Consideration: Resolution Nos. 2012-38, 2012-39; and FY 2012-2013 Draft Budget Document (provided separately).

Staff Recommendation: Adopt Resolution Nos. 2012-38 (Ord Community Compensation Plan), 2012-39 (Capital Elements of Ord Community Plan).

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

August 14, 2012

Resolution No. 2012-38
Resolution of the Board of Directors
Marina Coast Water District
Adopting the Ord Community Portion of the Budget and
the Ord Community Compensation Plan for FY 2012-2013
(Not including Capacity Charges and Capital Surcharges)

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on August 14, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

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

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

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

WHEREAS, the proposed Budget and Compensation Plan for FY 2012-2013 provides for funds necessary to meet operating expenses, including employee wages and fringe benefits, purchasing or leasing supplies, equipment and materials, meeting financial reserve needs and requirements and capital expenses for sound operation and provision of the water and wastewater facilities and to enable the District to provide continued water, new water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

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

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

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

WHEREAS, the District has provided water and wastewater services on the former Fort Ord by contract since 1997, and currently provides water and wastewater services to the area of the former Fort Ord within FORA’s jurisdiction under the authority of the Agreement, and

provides such services to the portion of the former Fort Ord still under the Army's jurisdiction by contract with the Army; and,

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

WHEREAS, monthly service fees or charges are imposed as a condition of service to customers, and monthly water quantity and sewer rates are imposed on the basis of the amount of water used or consumed by the customer. The rates, fees and charges are not imposed upon real property or upon persons as an incident of real property ownership; and,

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

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

WHEREAS, a five-year water and wastewater financial plan and rate study prepared by Bartle Wells Associates in 2008 for the District, recommended an increase in rates, fees, charges and capacity charges for water and wastewater services to the Ord Community; and,

WHEREAS, the rates, fees and charges for Ord Community service area has changed from prior fiscal year; and,

WHEREAS, the rates, fees and charges are adopted under the authority of Government Code Section 67679(a)(1), Water Code Sections 30000 and following and Government Code Sections 54340 and following; and,

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

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

WHEREAS, capacity charges and capital surcharges for FY 2012-2013 are not included in this Resolution and will be adopted by separate Resolution; and,

WHEREAS, Section 6.08.070 of the District Code provides that twenty-five percent of all monthly charges collected by the District shall be used for long-term water supply projects, but that this requirement may be waived by the Board on an annual basis; and,

WHEREAS, the District's Board finds that, based on projected funding mechanisms and requirements, it is in the district's interest to waive the requirements of Section 6.08.070 of the District Code for FY 2012-2013; and,

WHEREAS, the District is acting to provide continued water, new water and sewer service within existing service areas on the Ord Community, and that such action is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Directors of the Marina Coast Water District does hereby approve and adopt the FY 2012-2013 Budget and Compensation Plan for water and wastewater services to the Ord Community.
2. The District is authorized to charge and collect rates for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the rates, fees and charges set forth in Exhibit A. The District is further authorized to use the same rates, fees and charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The rates, fees and charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed.
4. The requirements of Section 6.08.070 of the District Code are waived for FY 2012-2013.

PASSED AND ADOPTED on August 14, 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. 2012-38 adopted August 14, 2012.

Jim Heitzman, Secretary

August 14, 2012

Resolution No. 2012-39
Resolution of the Board of Directors
Marina Coast Water District
Adopting the Capacity Charge Element of the Budget
and the Ord Community Compensation Plan for FY 2012-2013

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on August 14, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Marina Coast Water District (“District”) staff prepared and presented the draft FY 2012-2013 Budget which includes projected revenues, expenditures and capital improvement projects for the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of FORA and the area remaining within the jurisdiction of the U.S. Army; and,

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

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

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

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

WHEREAS, the proposed Budget and Compensation Plan for 2012-2013 provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable the District to provide continued water, recycled water and sewer services within the existing service areas on the former Fort Ord. The rates, fees and charges adopted by FORA apply only to the area within FORA’s jurisdictional boundaries; and,

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

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

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

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

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

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

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

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

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

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

WHEREAS, the capacity charges set forth on Exhibit A to this Resolution have not changed from those approved in the FY 2011-2012 Budget and Compensation Plan; and,

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

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS,

1. The Board of Directors of the Marina Coast Water District does hereby approve and adopt the capital elements of the FY 2012-2013 Budget for water, recycled water and wastewater services to the Ord Community.
2. The capital elements of the compensation plan for the area of Ord Community within FORA's jurisdiction, including capacity charges, set forth on Exhibit A to this Resolution are hereby approved and adopted. The District is authorized to charge and collect capacity charges for provision of water and wastewater services within the boundaries of the Fort Ord Reuse Authority in accordance with the schedule set forth in Exhibit A. The District is further authorized to use the same charges in providing services to the area of Ord Community within the jurisdiction of the U.S. Army.
3. The charges authorized by this Resolution shall not exceed the estimated reasonable costs of providing the services for which the charges are imposed.
4. The District will comply with the requirements of Government Code section 54999.3 before imposing a capital facilities fee (as defined in Government Code section 54999.1) on any school district, county office of education, community college district, the California State University, the University of California or state agency.

PASSED AND ADOPTED on August 14, 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. 2012-39 adopted August 14, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: August 14, 2012

Submitted By: Jean Premutati
Reviewed By: Carl Niizawa

Presented By: Jean Premutati
Georg Krammer

Agenda Title: Consider Receiving the Draft Koff & Associates Compensation & Classification Study

Detailed Description: On July 10, 2012, the Board approved a list of comparator agencies to be used for the District's total compensation and classification study. The consultant for the study, Koff and Associates, collected market data using these agencies and developed a draft survey which was presented to the Budget and Personnel Committee (Committee) on July 27, 2012.

The draft survey contains several recommended revised job descriptions that reflect changes in listed duties and responsibilities, as well as a recommendation for two title changes. These modifications have been reviewed and agreed to by affected staff members.

The Committee wanted to ensure staff was comparing "apples to apples" with respect to classifications. With regards to some positions, e.g. Operators, Accountants, Customer Service; these normally have the same titles and job duties. However, not all positions are as easily evaluated and an analysis of the duties and responsibilities must be conducted. In some instances, a classification at the District may be compared to more than one position in another entity and a salary range between the two positions was averaged and used for comparison.

After reviewing the compensation results (Version 1), the Committee asked to see what the numbers would look like minus Alameda County Water District and Dublin San Ramon Services District (Version 2). Attached for your review are the results with and without these agencies.

Georg Krammer from Koff and Associates will be present at the Board meeting to present the draft study to the Board.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On April 18, 2012, the Board approved a Professional Services Agreement with Koff & Associates. On July 10, 2012, the Board approved a list of comparator agencies to be used for the District's total compensation and classification study. The Budget and Personnel Committee reviewed this item on July 27, 2012 and recommended forwarding it to the Board.

Board Goals/Objectives: *Strategic Plan, Objective No. 2G – Develop a Plan that improves employee work environment in a cost effective manner.*

Financial Impact: ___ Yes ___X___ No

Material Included for Information/Consideration: Draft Classification & Compensation Study, Version 1 and Version 2; and Proposed Job Description Revisions (provided separately).

Staff Recommendation: The Board of Directors consider receiving the Koff & Associates Draft District compensation and classification study.

Action Required: _____Resolution X Motion _____Review

Board Action

Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: August 14, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Discuss Placing the Water/Wastewater Oversight Committee on the Committee and Board Liaison Reports List

Detailed Description: The Board of Directors is requested to discuss placing the Water/Wastewater Oversight Committee on the Committee and Board Liaison Reports list.

On July 14, 2012, Director Shriner asked to have a report from the MCWD representative to the FORA Water/Wastewater Oversight Committee added to the agenda under Informational Items: Committee and Board Liaison Reports.

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: None.

Staff Recommendation: This is a Board requested item.

Action Required: Resolution Motion Review

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: February 14, 2012

Prepared By: Carl Niizawa
Reviewed By: Jim Heitzman

Subject: Receive a Report on Review of Individual Unit Metering Requirement for Multi-Family Residential Units

Summary: Given recent variance requests and discussions on the District's unit metering requirement, the Board of Directors has requested Staff review of the individual unit metering requirement for multi-family residential units. This report will be provided in two parts; the second part will review an option for modification of the code.

The specific sections of the District's Water Code subject to recent discussions include:

MCWD Water Code *Chapter 3.36.030.W-Metering. 2-New Construction. a.* that states "Newly constructed multifamily dwelling units, including condominiums, and detached dwelling units will be metered individually as of the effective date of the ordinance codified in this chapter."

MCWD Water Code *Chapter 3.36.030.W-Metering. 3-Conversion of Existing Structures. b.* that specifically requires the individual metering upon conversion of "Motel/hotel units converted into multifamily units, time-share units or condominiums."

Recent variance requests have claimed that these codes are not compatible with multi-family residential units with central hot water supply systems. With a central hot water system, compliance would require two meters for each residential unit – one for hot water and one for the cold water. Individual metering for the water from the central hot water system would require the hot water piping for each individual unit to be routed outside, through the unit hot water meter, and then back into the building to the designated apartment.

One of the applicants has claimed that this brings additional hardship to the project because of the District's standards for installation of the meter at the property line. However, while standard water meter installation is at the curb line or property line, the individual unit meters can be placed in a utility easement in close proximity to the building.

The District's Water Code, section 3.12.010 *Service Connections and meters* defines the placement of services and meters. Specifically, section 3.12.010A. *Service connections.* states that "...The service will be installed from its water distribution main to the curb line or property line of the premises which may abut on the street, on other thoroughfares, or on the district right of way or easement...."

District staff can work with the project's proponents to locate their individual water meters.

- In the case of the new Dunes South County Housing project, subject of one of the variance requests, the project already proposes to provide MCWD with easements such that MCWD effectively can own and operate the infrastructure that will serve each structure. The banks of meters serving the units will be installed at the easement line; such placement will minimize the plumbing installation cost for the developer while still meeting the general MCWD standard of “one-unit, one-meter.”
- In the case of the motel rehabilitation project at 420 Reservation Road, subject of the other variance request, the project proponent has options for meter installation. An opportunity exists for the project proponent to provide an easement to MCWD for appropriate access to the rear of the structure to be rehabilitated; however, this would be contingent on verification of adequate space (width) for the needed easement.
- The District recently accepted sewer and water infrastructure from the Community Hospital of Monterey Peninsula (CHOMP) in a manner similar to that proposed by the Dunes apartment complex. Water and sewer infrastructure to be owned and operated by MCWD was installed within easements traversing the parking lot of the new CHOMP facility located at Imjin Parkway and Second Avenue that serves those newly installed structures. In one instance within that project, due to the depth of the installed sewer pipeline, an easement distance greater than 20-feet was required and provided.

However, even with the more proximate location for the unit meters, it may be observed that the MCWD Water Code does make central hot water boilers untenable versus that of the installation of individual unit hot water heaters. This results in an implied direction from the District code for individual unit water heaters within multi-family residential projects; therefore, it is significant that the South County project has indicated that the individual hot water heaters are not compatible with their plan for solar heat capture for pre-heating their proposed hot water supply.

Both variance applications requested master meters in-lieu of the individual unit meters, but recognized the water conservation intent of the District’s Code by offering to install submeters to meter both cold and hot water in the individual units. Submeters are meters owned and maintained by the property owner and used to measure individual water use for the purposes of private billing by the landlord to each tenant. The problem with submeters has been noted by staff with regards to re-development of existing uses - for example, condo conversions.

On an industry level, the need to individually meter multi-family units is a recent one given the relatively new national concern regarding water supply and water conservation. How then is the issue of individual unit metering in a multi-family seen on an industry level? One perspective and option is presented as follows:

In 2004, a study sponsored by the EPA, National Apartment Association, National Multi Housing Council, and 10 major public water providers including East Bay Municipal Utility District and San Diego County Water Authority; looked at the issue of submetering. Their 386 page study was titled the “National Multiple Family Submetering and Allocation Billing Program Study’ (<http://www.ebmud.com/sites/default/files/pdfs/submeter-report.pdf>). The study confirmed the need to individually meter multi-family units with data showing findings of 15% water savings per unit. With regards to metering it provided the following recommendation:

Recommendation for metering for all new multi-family construction low-rise multi-family construction: “All new multi-family structures of one to three stories should provide for the measurement of all of the water use in each unit. This may be accomplished either through the installation of total-capture submeters for each unit, the installation of utility service meters for each unit, or the installation of multiple submeters affixed at every point of use in each unit. Upon occupancy, water and wastewater charges are to be billed to residents based only upon their water usage recorded by these individual measurement devices”

The study found that submetering is a viable means for meeting the water utility and multi-family residential needs for water metering. The listed public utility concerns regarding individual unit metering for multi-family residents in the study were different than those discussed in the District meetings. In the study, the public utility concerns were that of the financial and logistical problems resulting from having to bill more customers with potentially higher turnover rates. The study notes that meter placement can become a concern of public water agencies if involved, but that submetering- with private maintenance and billing- alleviates these concerns. A significant concern of the public utilities regarding submetering is with the manner in which third party billing is applied to the individuals in where billing is applied by owner or third-party means.

East Bay Municipal Utility District, one of the participant public water agencies, has indicated that it has allowed, as a pilot program, submeters to be installed in multi-family buildings for the purposes of individual unit metering.

Marina Coast Water District
Staff Report

Agenda Item: 10-B

Meeting Date: August 14, 2012

Submitted By: Carl Niizawa

Subject: Receive a Report on the Status of the MCWD Ord Office Landscape Project

Summary: The Board of Directors is requested to receive this Staff Report regarding the status of the MCWD Ord Landscape Project located at 2840 4th Avenue in Marina, CA.

The District Board was last updated on this project during the Board meeting conducted on March 13, 2012. Since that time, substantial modifications and additions to the landscape design package have been made and are in the process of being made, including:

- improvements in the landscape design package related to describing the maintenance of the landscape; and,
- the addition of the Public Interaction Concept Plan that provides the specifics of how the public will tour the site and what the focus of the information shared with them will be; and,
- denser plantings with greater plant heights and plant height variations along the western edge of the project to serve as a wind-break; and,
- a modification in the quantity of organic matter that will be purchased and brought on-site while still meeting the City's and MCWD's design standards - this achieved a cost-savings sufficient to support the denser plantings (above) without exceeding the budget; and,
- the inclusion in the plans of the existing plantings (cacti and other succulents) on the eastern end of the main Ord office building, including identifying and mapping the current plant species, modifying the irrigation system to include the piping, controls, and a new watering zone, and completing the landscape design information.

It is currently expected for the landscape design to be finalized the week of September 17th and then submitted to the City of Marina's Planning Department. The duration of the permitting within the City process is expected to be about 90-days and will depend on the comments received.

The current MCWD Ord budget approval status may impact the implementation of this capital improvement project; implementation resources will only be expended consistent with MCWD's direction in that regard.

Marina Coast Water District
Staff Report

Agenda Item: 10-C

Meeting Date: August 14, 2012

Prepared By: Carl Niizawa
Reviewed By: Jim Heitzman

Subject: Update on Marina Teen Center Compliance

Summary: This is an update of the events that have taken place since the Marina Teen Center Staff Report presented to the Board at the March 13, 2012 regularly scheduled Board Meeting.

The last action related to the Marina Teen Center prior to the March Board Meeting is that the Marina Coast Water District (District), on February 1, 2012, informed the City of Marina (City) of the requirement for a landscape irrigation connection as part of their requirements.

On June 12, 2012 the District and City staff met to review the status of resolving the Teen Center issue. City staff reiterated that the agreement between staffs was for the District to hire the contractor and administer and manage the work remaining. The City would then reimburse the District for the cost of the work and pay the fees and charges owed to the District relating to the project. The City also opposed the landscape irrigation connection as it was not part of the original scope of work approved by the District. Mr. Khayata stated that any additional work for the Teen Center must be approved by the City Council.

The meeting was followed by a letter from the City on June 26, 2012 (Exhibit A) to the District summarizing the meeting. The District responded with a letter dated August 8, 2012 (Exhibit B).

In July, the District staff found a solution which would result in a change in scope that would allow installation of the landscape irrigation connection at no additional cost. Initially supportive, when later approached with the solution, the City staff reaffirmed that they needed direction from the City Council to add any landscaping or irrigation connections.

Attachments: Exhibit A – June 26, 2012 letter from the City of Marina to the MCWD
Exhibit B – August 8, 2012 letter from MCWD to the City of Marina

Marina Coast Water District
Staff Report

Agenda Item: 10-D

Meeting Date: August 14, 2012

Prepared By: Carl Niizawa
Reviewed By: Jim Heitzman

Subject: Update on Imjin Office Park Property Marketing

Summary: This is a report to update the Board of Directors on the status of the marketing efforts for District owned property in the Imjin Office Park in Marina.

The District owns two properties within the Imjin Office Park. The first is at 920 Second Avenue, a 15,000 square foot office building in which the Fort Ord Reuse Authority currently occupies 8,800 square feet, with the remaining 6,200 square feet being a vacant lease space. The other property is 940 Second Avenue, a building parcel that has plans for a 10,000 square foot office building.

The District has obtained the services of Mahoney & Associates to provide real estate services related to obtaining a long term tenant for lease space in 920 Second Avenue and for pursuing opportunities for the District owned parcel within the Imjin Office Park in Marina. Staff met with four local firms to provide proposals for the marketing of the properties. Mahoney & Associates was selected based on their detailed response, specialization in commercial real estate, lowest fee estimate, and their experience in commercial real estate services in the region for over 30 years.

Mahoney & Associates' strategy in representing the District is defining the objectives of the District, evaluate the market, analyze the property, identify the target audience, develop and implement a marketing plan, define the asset's position in the market, establish measurable tactics, negotiate lease terms, and ultimately retain tenants.

Staff is working with Mahoney & Associates to obtain tenants for the properties as quickly as possible.

Marina Coast Water District
Staff Report

Agenda Item: 10-E

Meeting Date: August 14, 2012

Prepared By: Jean Premutati

Reviewed By: Carl Niizawa

Subject: District Expense Reimbursement and Travel Policy

Summary: The District's expense reimbursement and travel policy was developed in June 2006 and contains information regarding District-related training, travel and expense reimbursements. Subsequent to this policy, the employee handbook was adopted in April 2010 which contains additional guidelines and procedures when traveling on District business.

All training, travel and expense reimbursement requests go through an approval process and are submitted to the Management Services Administrator who is responsible for making any necessary training or travel arrangements and authorizing reimbursement and payment of related expenses. Upon completion of any travel, employees must submit an expense form to the Management Services Administrator with original receipts in order to receive reimbursement.

Staff has recently reviewed the policy and found that references to position titles should be revised and the travel advance section deleted as this is no longer a District practice.

The Expense Reimbursement and Travel Policy, and the Employee Handbook are consistent with IRS Publication 15-B (Employers Tax Guide to Fringe Benefits).

Marina Coast Water District
Staff Report

Agenda Item: 10-F

Meeting Date: August 14, 2012

Prepared By: Kelly Cadiente

Reviewed By: Carl Niizawa

Subject: Receive Information on the Status of Scanning Historical Documents of the District

Summary: This is a report to inform the Board on the status of scanning of historical documents of the District. The District purchased the Laserfiche document storage system software and hardware in FY 2009/2010. To date, all District ordinances as well as all resolutions since 1989 have been scanned and stored. In addition, Accounts Payable and Conservation records have been scanned and stored since acquiring Laserfiche.

Staff has formed a committee comprised of representatives from each department to formulate an implementation plan to complete the scanning and storage of all the remaining District historical records. The goal of the committee is to complete the scanning process by the end of fiscal year 2012/2013.

Marina Coast Water District
Staff Report

Agenda Item: 10-G

Meeting Date: August 14, 2012

Prepared By: Kelly Cadiente, and Paul Lord

Reviewed By: Carl Niizawa

Subject: 1st and 2nd Quarter 2012 Ord Community Water Consumption and Sewer Flow Reports

Summary: The Board of Directors is requested to receive the 1st and 2nd Quarter 2012 Ord Community Water Consumption and Sewer Flow Reports. Quarterly water consumption reports have been submitted to the Board since 2006. The quarterly consumption reports contain the Ord Community water consumption data organized by land-use jurisdiction.

This staff report also includes tracking information on Ord Community sewer flows and available sewer capacity. Ord Community sanitary sewer flow for the 1st quarter of 2012 was 81.27-million-gallons which yield an average daily sewer flow of 0.89-million-gallons-per-day (MGD). 2nd quarter flow was 80.25-million-gallons which yield an average daily sewer flow of 0.88 MGD. The Ord Community's sanitary sewer flow to the Monterey Regional Water Pollution Control Agency (MRWPCA) interceptor system is measured by a District flume structure located adjacent to the retired Main Garrison wastewater treatment plant.

The District maintains sewage conveyance capacity within the Ord Community equivalent to 3.3-MGD. The 3.3-MGD capacity managed by the District is further divided into 1.1-MGD for use by the US Army and 2.2-MGD for use by others in the Ord Community.

Below are informational annotations for the data included in the reports:

- The number of customers in each category is defined as the number of active accounts within that land use jurisdiction.
- "Army Facilities & Businesses - Ord" captures all uses not listed in the other Army categories.

1st Quarter 2012

- The rainfall total for the quarter (January, February, March), was 4.36 inches. This rainfall amount is significantly lower than the historical quarterly average rainfall of 9.49 inches.
- The measured reference evapotranspiration rate for this period was 7.14 inches, higher than the historical quarterly average figure of 6.11 inches.
- The category Seaside Highlands Soper Field - Ord has been eliminated. The water consumption figures for Soper Field are now included in the category entitled Seaside Highlands – Ord to more accurately track the water usage of the complete Seaside Highlands development against the allocation of 168.5 Acre-Feet of water (125.4 AF potable water + 43.1 AF potable water until reclaimed water becomes available).

2nd Quarter 2012

- The rainfall total for the quarter (April, May, June), was 2.77 inches. This rainfall amount is significantly higher than the historical quarterly average rainfall of 1.66 inches.
- The measured reference evapotranspiration rate for this period was 14.54 inches, higher than the historical quarterly average figure of 13.63 inches.

Attachments: 1st Quarter 2012 Ord Community Water Consumption and Sewer Flow Report
2nd Quarter 2012 Ord Community Water Consumption and Sewer Flow Report