



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, November 13, 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)

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

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, November 8, 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 December 11, 2012.

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

4) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

- 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
Two Cases
 - 1) Claims of MCWRA and Monterey County against MCWD
 - 2) Claims of California–American Water Company against MCWD
- D. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case
- E. Pursuant to Government Code 54957.6
Conference with Labor Negotiator
Agency Negotiator (General Manager)
Employee Organization: Marina Coast Water District Employees Association
- F. Pursuant to Government Code 54957.6
Conference with Labor Negotiator
Agency Negotiator (General Manager)
Employee Organization: Teamsters Local 890
- G. Pursuant to Government Code Section 54957
Public Employment
Title: General Manager - Consideration and Approval of Extension of General Manager Employment Contract

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.*

G. Consideration and Approval of Extension of General Manager Employment Contract

The Board will consider whether to extend the General Manager's current employment contract and take action to approve the extension.

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. 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. 2012-71 to Approve the 2012-2013 District Investment Policy
- B. Adopt Resolution No. 2012-72 to Approve the Final Change Orders with the Don Chapin Company for the Well 34 Site Improvements Project and Amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for General Engineering Services
- C. Adopt Resolution No. 2012-73 to Approve Final Change Orders with the Don Chapin Company for the Watkins Gate Well & Pipeline Project Including Amending the Professional Service Agreements with Schaaf & Wheeler Consulting Engineers and Luhdorff & Scalmanini
- D. Adopt Resolution No. 2012-74 to Approve Change Order No. 1 to the Supervisory Control and Data Acquisition Improvements Phase 1 Project Authorizing a No-Cost Change in Scope
- E. Approve the Draft Minutes of the Regular Board Meeting of October 9, 2012
- F. Approve the Draft Minutes of the Special Board Meeting of October 23, 2012
- G. Approve the Draft Minutes of the Special Board Meeting of October 26, 2012

8. 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 No. 2012-75 to Approve the District's Fraud Policy

Action: The Board of Directors will consider approving the District's Fraud Policy.

- B. Consider Adoption of Resolution No. 2012-76 to Approve Revisions to the Water Conservation Commission Procedures and to the Board Procedures Manual Section Regarding the Water Conservation Commission

Action: The Board of Directors will consider approving the revision to the Water Conservation Commission Procedures and the Board Procedures Manual.

- C. Consider Adoption of Ordinance No. 55, an Ordinance Adding Chapters 6.08.090.E and 6.12.040.D to the District Code on Transfer of Water and Sewer Capacity Credit

Action: The Board of Directors will consider Ordinance No. 55 regarding the transfer of paid water and sewer capacity charges.

- D. Consider Adoption of Resolution No. 2012-77 to Authorize the General Manager to Take Any and All Actions Necessary to Provide a Conditional Commitment to the General Services Administration to Construct an Imjin Office Park Building to House the Bureau of Land Management Regional Office

Action: The Board of Directors will consider authorizing the General Manager to take any and all actions necessary to provide a conditional commitment to the General Services Administration to construct an Imjin Office Park building to house the Bureau of Land Management Regional Office.

- E. Consider Adoption of Resolution No. 2012-78 to Approve the Water Supply Assessment for the Monterey Downs Specific Plan

Action: The Board of Directors will consider approving the Water Supply Assessment for the Monterey Downs Specific Plan.

- F. Consider Adoption of Resolution No. 2012-79 in Recognition of District Employees

Action: The Board of Directors will consider recognizing District Employees.

9. Staff Reports

- A. Receive Update Regarding the Status of the Greater Monterey County Integrated Regional Water Management Plan
- B. Receive a Report on the RUWAP Desalination Project Design-Build Request for Qualifications

10. 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 | |

10. Director's Comments

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

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

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7

Meeting Date: November 13, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Adopt Resolution No. 2012-71 to Approve the 2012-2013 District Investment Policy
- B) Adopt Resolution No. 2012-72 to Approve the Final Change Orders with the Don Chapin Company for the Well 34 Site Improvements Project Including Amending the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for General Engineering Services
- C) Adopt Resolution No. 2012-73 to Approve Final Change Orders with the Don Chapin Company for the Watkins Gate Well & Pipeline Project Including Amending the Professional Service Agreements with Schaaf & Wheeler Consulting Engineers and Luhdorff & Scalmanini
- D) Adopt Resolution No. 2012-74 to Approve Change Order No. 1 to the Supervisory Control and Data Acquisition Improvements Phase 1 Project Authorizing a No-Cost Change in Scope
- E) Approve the Draft Minutes of the Regular Board Meeting of October 9, 2012
- F) Approve the Draft Minutes of the Special Board Meeting of October 23, 2012
- G) Approve the Draft Minutes of the Special Board Meeting of October 26, 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: 7-A

Meeting Date: November 13, 2012

Prepared By: Kelly Cadiente

Presented By: Kelly Cadiente

Agenda Title: Adopt Resolution No. 2012-71 to Approve the 2012-2013 District Investment Policy

Detailed Description: Staff is requesting the Board of Directors adopt Resolution No. 2012-71 to approve the 2012-2013 District Investment Policy (Policy). The Policy is based on provisions of the Government Code governing the investment of local agency funds and deposits of public money and should be reviewed and adopted on an annual basis.

In adherence to the District's current Investment Policy, the Budget and Personnel Committee are to review and update the Policy where appropriate. The Committee made no changes or revisions to the Policy and recommended that it go before the Board for approval.

Environmental Review Compliance: None.

Prior Committee or Board Action: November 8, 2011, Board adopted Resolution No. 2011-81 to approve the 2011-2012 District Investment Policy; October 26, 2012, Budget & Personnel Committee reviewed the Proposed 2012-2013 District Investment Policy for recommendation for Board approval at the November 13, 2012 Board 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: N/A

Material Included for Information/Consideration: Resolution No. 2012-71; Proposed 2012-2013 District Investment Policy

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-71 to approve the 2012-2013 District Investment Policy.

Action Required: ___X___Resolution_____Motion_____Review
(Roll call vote is required.)

Resolution No _____ Motion By _____ Board Action
Seconded By _____
Ayes _____ Abstained _____
Noes _____ Absent _____
Reagendized _____ Date _____ No Action Taken _____

November 13, 2012

Resolution No. 2012-71
Resolution of the Board of Directors
Marina Coast Water District
Approving the 2012-2013 District Investment Policy

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS the District’s Investment Policy is based on provisions of the Government Code governing the investment of local agency funds and deposits of public money; and,

WHEREAS, said Policy should be reviewed and adopted on an annual basis; and,

WHEREAS, in accordance to the current policy, the Budget and Personnel Committee reviewed and proposed no changes the 2012-2013 District Investment Policy and recommends approval by the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2012-71 to approve the 2012-2013 District Investment Policy.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-71 adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-B

Meeting Date: November 13, 2012

Submitted By: Patrick Breen

Presented By: Patrick Breen

Reviewed By: Andrew Sterbenz

Agenda Title: Adopt Resolution No. 2012-72 to Approve the Final Change Orders with the Don Chapin Company for the Well 34 Site Improvements Project Including Amending the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for General Engineering Services

Detailed Description: The Board of Directors is requested to Adopt Resolution No. 2012-72 to Approve Final Change Orders for Work on the Well 34 Project and amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers.

In October 2011, the Board authorized the construction of the Well 34 Project (Resolution No. 2011-78) as a component of the Grant funded Proposition 50 Eastern Distribution Project. The Resolution included the award of the construction contract to the Don Chapin Company and included a 15% contingency to cover increased expenses during construction. During construction, additional work became necessary to complete the project. The additional items included additional fencing, additional rock surfacing, pipeline realignment, existing valve repairs, and additional transmission pipeline disinfection and flushing.

Additional engineering also became necessary during the commissioning of the equipment in order to ensure proper operation and function.

Both the increased construction costs as well as the additional engineering services are within the total Board authorization budget amount for during construction. See Table 1 below.

Table 1

| MCWD Well 34 Site Improvements Project | | | |
|---|--|-------------------|-------------------|
| Resolution Number: | Firm/Task | Authorized Amount | Contracted Amount |
| 2011-63 | Schaaf & Wheeler/Design | 90,314 | 90,314 |
| 2012-23 | Schaaf & Wheeler/Additional Design | 10,000 | 10,000 |
| 2011-78 | Don Chapin/Construction | 761,875 | 662,500 |
| This Action | Schaaf & Wheeler/Engineering Support during Construction | | 14,911 |

| | | |
|-------------|---|--------|
| This Action | Don Chapin/Changes During Construction | 39,399 |
|-------------|---|--------|

Total 862,189 817,124

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 amended PSA with Resolution No. 2011-63 in August 2011, and Resolution No. 2012-23 in April 2012 for the Well 34 Site Improvement Project. October 2011, the Board adopted Resolution No. 2011-78 authorized the construction contract with the Don Chapin Company with construction contingency.

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 within previously Board approved budgets.

Material Included for Information/Consideration: Resolution No. 2012-72.

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-72 to approve Final Change Orders with the Don Chapin Company for the Well 34 Site Improvements Project and amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for general engineering services.

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 _____

November 13, 2012

Resolution No. 2012-72
Resolution of the Board of Directors
Marina Coast Water District

Approving the Final Change Orders with the Don Chapin Company for the Well 34 Site Improvements Project and Amend the Professional Services Agreement with Schaaf & Wheeler Consulting Engineers for General Engineering Services

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the completion of the Well No. 34 project was 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 amendments to the base-line contract for the Well 34 Site Improvement Project were approved by the Board through adoption of Resolution No. 2011-63 and Resolution No. 2012-23; and,

WHEREAS, the Schaaf and Wheeler General Engineering Services Agreement (2007-04) has been amended to a total value of \$2,389,426. The addition of this Amendment would bring the total contract value to \$2,404,337, of which \$221,395 is attributable to Well 34 Site Improvement Project; and,

WHEREAS, the Board approved a construction contract with the Don Chapin Company for the Well 34 Site Improvement project including a 15% contingency, Resolution No. 2011-78; and,

WHEREAS, authorization of this amendment is necessary to complete the work for replacement of Well No. 32 with the proposed Well No. 34 and within the Board authorized construction amount.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the adoption of Resolution No. 2012-72 amending the Professional Services Agreement for General Engineering Services with Schaaf & Wheeler Consulting Civil Engineers for the Well 34 Site Improvement Project for an Amount Not-to-Exceed \$14,911 and Approve Final Change Order for the Well 34 Site Improvements Project.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-72 Adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-C

Meeting Date: November 13, 2012

Submitted By: Patrick Breen

Presented By: Patrick Breen

Reviewed By: Andrew Sterbenz

Agenda Title: Adopt Resolution No. 2012-73 to Approve Final Change Orders with the Don Chapin Company for the Watkins Gate Well & Pipeline Project Including Amending the Professional Service Agreements with Schaaf & Wheeler Consulting Engineers and Luhdorff & Scalmanini

Detailed Description: The Board of Directors is requested to Adopt Resolution No. 2012-73 to Approve Final Change Orders for Work on the Watkins Gate Well & Pipeline Project.

In September 2011, the Board authorized the construction of the Watkins Gate Well & Pipeline Project (Resolution No. 2011-72) as a component of the Grant funded Proposition 50 Eastern Distribution Project. The Resolution included the award of the construction contract to the Don Chapin Company and included a 15% contingency to cover increased expenses during construction. During construction, additional work became necessary to complete the project. The additional items included additional primary electrical work required by PG&E, additional rock surfacing, pipeline realignment, culvert repair, and additional work to connect to existing transmission pipeline.

The additional repairs, disinfection, and flushing plans also required additional engineering services. Additional engineering also became necessary during the commissioning of the equipment in order to ensure proper operation and function.

During drilling operations the contractor experienced equipment failures that led to delays that required additional hydrogeological services and expense. Of these costs, \$17,842 was deducted from the contractors final contract amount as these expenses were directly related to delays not attributable to the District.

Under previous resolutions, the Board authorized contracts with Schaaf & Wheeler for engineering, Luhdorff & Scalmanini for hydrogeology, and Harris & Associates for inspection services.

The increased construction, hydrogeological, and engineering services are within the total Board authorization budget amount for during construction. See Table 1 below.

Table 1

| MCWD Watkins Gate Well & Pipeline Project | | | |
|--|--|-------------------|-------------------|
| Resolution Number: | Firm/Task | Authorized Amount | Contracted Amount |
| 2011-29 | Schaaf & Wheeler/Design | 54,680 | 54,680 |
| 2011-33 | Schaaf & Wheeler/Design | 167,100 | 167,100 |
| 2012-22 | Schaaf & Wheeler/Construction Administration | 94,170 | 94,170 |
| 2011-22 | Luhdorff & Scalmanini/Exploratory Hole & Hydrology | 151,685 | 151,685 |
| 2011-32 | Luhdorff & Scalmanini/Well Design | 36,500 | 36,500 |
| 2012-05 | Harris & Associates/Inspections | 20,240 | 20,240 |
| 2011-72 | Don Chapin/Construction | 1,961,141 | 1,705,340 |
| This Action | Schaaf & Wheeler/Engineering Support during Construction | | 2,275 |
| This Action | Don Chapin/Changes During Construction | | 13,700 |
| This Action | Luhdorff & Scalmanini/Additional Hydrogeological Inspections | | 39,540 |
| Total | | 2,485,516 | 2,285,230 |

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: 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. March 2011 Resolution No. 2011-22 Authorizing the Professional Services Agreement with Luhdorff & Scalmanini. September 2011, the Board adopted Resolution No. 2011-72 authorized the construction contract with The Don Chapin Company with construction contingency.

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 within previously Board approved budgets.

Material Included for Information/Consideration: Resolution No. 2012-73.

Staff Recommendation: The Board Adopt Resolution 2012-73 to Approve Final Change Orders with the Don Chapin Company for the Watkins Gate Well & Pipeline Project including amending the Professional Service Agreements with Schaaf & Wheeler Consulting Engineers and Luhdorff & Scalmanini.

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_____

November 13, 2012

Resolution No. 2012-73
Resolution of the Board of Directors
Marina Coast Water District

Approving Final Change Orders with the Don Chapin Company for the Watkins Gate Well & Pipeline Project Including Amending the Professional Service Agreements with Schaaf & Wheeler Consulting Engineers and Luhdorff & Scalmanini

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the completion of the Watkins Gate Well & Pipeline project was 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 Engineering Services for the Watkins Gate Well & Pipeline Project, Resolution No. 2011-33; and authorized an amendment to the contract for the Watkins Gate Well & Pipeline Project approved by the Board through adoption of Resolution No. 2012-22; and,

WHEREAS, the Board approved a Professional Service Agreement with Luhdorff & Scalmanini Consulting Engineers for Engineering Services for the Watkins Gate Well & Pipeline Project, Resolution No. 2011-22; and,

WHEREAS, the Board approved a construction contract with the Don Chapin Company for construction of the Watkins Gate Well & Pipeline project including a 15% contingency, Resolution No. 2011-72; and,

WHEREAS, authorization of these amendments is necessary to complete the work for the Watkins Gate Well & Pipeline Project and within the previously authorized Board Authorized construction amount (Resolution No. 2011-72).

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the adoption of Resolution No. 2012-73 Amending the Professional Services Agreement for Engineering Services with Schaaf & Wheeler Consulting Civil Engineers for the Watkins Gate Well & Pipeline Project for an amount not-to-exceed \$2,275, Luhdorff & Scalmanini for an amount not-to-exceed \$39,540, and approve Final Change Order for the Watkins Gate Well & Pipeline Project.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-73 Adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-D

Meeting Date: November 13, 2012

Submitted By: Sean Knight

Presented By: Sean Knight

Agenda Title: Adopt Resolution No. 2012-74 to Approve Change Order No. 1 to the Supervisory Control and Data Acquisition Improvements Phase 1 Project Authorizing a No-Cost Change in Scope

Detailed Description: The Board of Directors is requested to approve a no-cost, scope only Change Order No. 1 for the Supervisory Control and Data Acquisition (SCADA) Improvements Phase 1 Project.

The SCADA System Improvements is a current Capital Improvement Program Project. The purpose of the current project was to address communication issues between hub/repeater sites and SCADA Central.

On April 10, 2012, the Board approved a construction contract with Monterey Peninsula Engineering for \$308,000 plus \$30,800 in project contingency. The scope of the construction contract was to replace existing Remote Telemetry Units (RTU) and install new radio modems and antennae at four (4) hub/repeater sites to establish new licensed frequency communication links with the District's SCADA Central.

The original scope addressed the symptoms of communication errors between the hub/repeater sites and SCADA Central but does not address the communication between those same hub/repeater sites and the remote satellite sites. The remote satellite sites, such as lift stations and well sites still rely on older, unreliable equipment to communicate between them and the hub/repeater sites.

District staff and the contractor, after discussions about the District's SCADA goals and current issues, has revised the current scope to address one (1) hub/repeater site and all of the satellite sites which report to it. Change Order No. 1 is a scope only; no-cost change order which will allow each remote site to communicate directly with SCADA Central except for those few sites which have physical barriers that obstruct direct communication.

This revised scope will address the communication issues at the Reservoir 2 hub/repeater site (80% of the communication errors) and move the District forward in its goal to eliminate as many hub/repeater sites as possible, allowing sites to directly communicate with SCADA Central and replace the older, unreliable equipment at most of our satellite sites.

A graphical representation of the above description is attached. This should help in showing the difference between the current scope and the proposed, revised scope.

Environmental Review Compliance: None Required.

Prior Committee or Board Action: Resolution No. 2012-21 the Board approved a construction contract with Monterey Peninsula Engineering for the SCADA Improvements Phase 1 Project.

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 X No

Funding Source/Recap: The funding source will remain the same; CIP WD-0115 SCADA Improvements Phase 1 Project will be funded from the Marina Water, Marina Sewer, Ord Water and Ord Sewer Reserves.

Material Included for Information/Consideration: Resolution No. 2012-74; and SCADA Diagram.

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-74 to Approve Change Order No. 1 to the SCADA Improvements Phase 1 Project authorizing a no-cost change in scope.

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 13, 2012

Resolution No. 2012 - 74
Resolution of the Board of Directors
Marina Coast Water District
Approving a Contract Scope Change Order No. 1
with Monterey Peninsula Engineers 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 November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District received sealed bids for the SCADA Improvements Phase 1 Project and approved a construction contract of \$308,000 and a project contingency of \$30,800 for the SCADA Improvements Phase 1 Project with Monterey Peninsula Engineering; and,

WHEREAS, District staff has determined that the District would be better served if the initial scope of the SCADA Improvements Phase 1 Project was revised to address all communications at a hub/repeater site and all of its satellite sites instead of multiple hub/repeater sites; and,

WHEREAS, this change in scope will not increase the construction contract amount of \$308,000 and project contingency of \$30,800.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to sign Change Order No. 1 to the SCADA Improvements Phase 1 Project, and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice President

ATTEST:

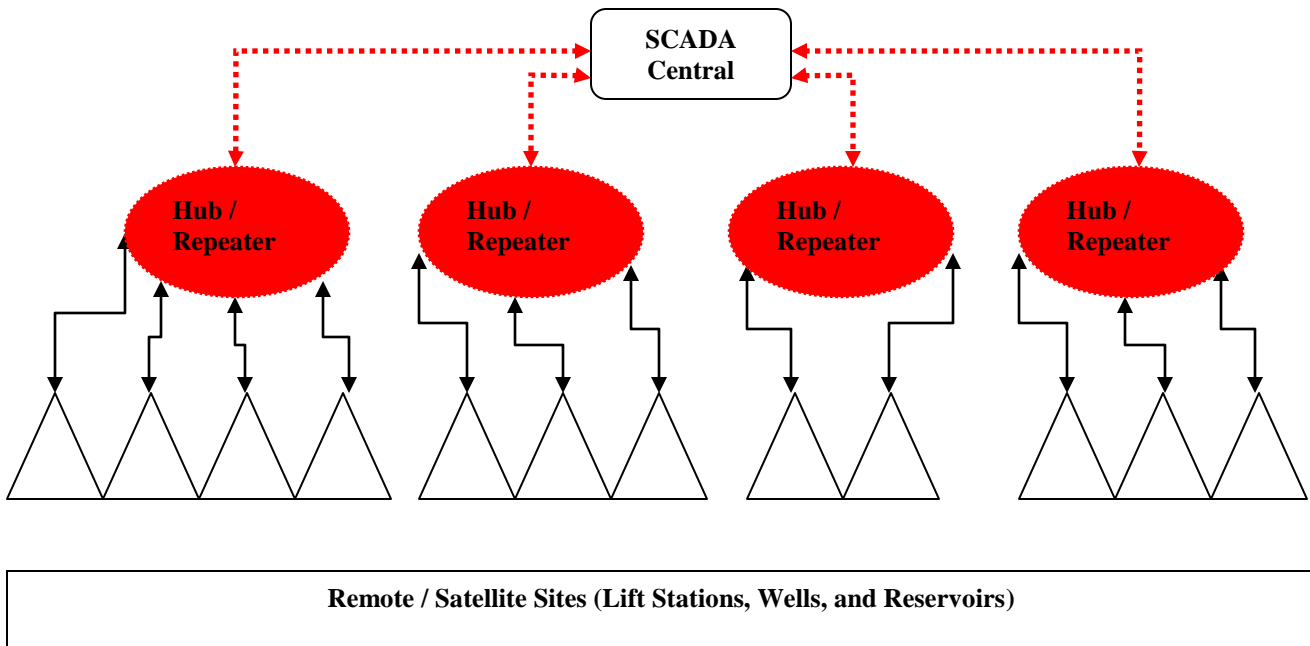
Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

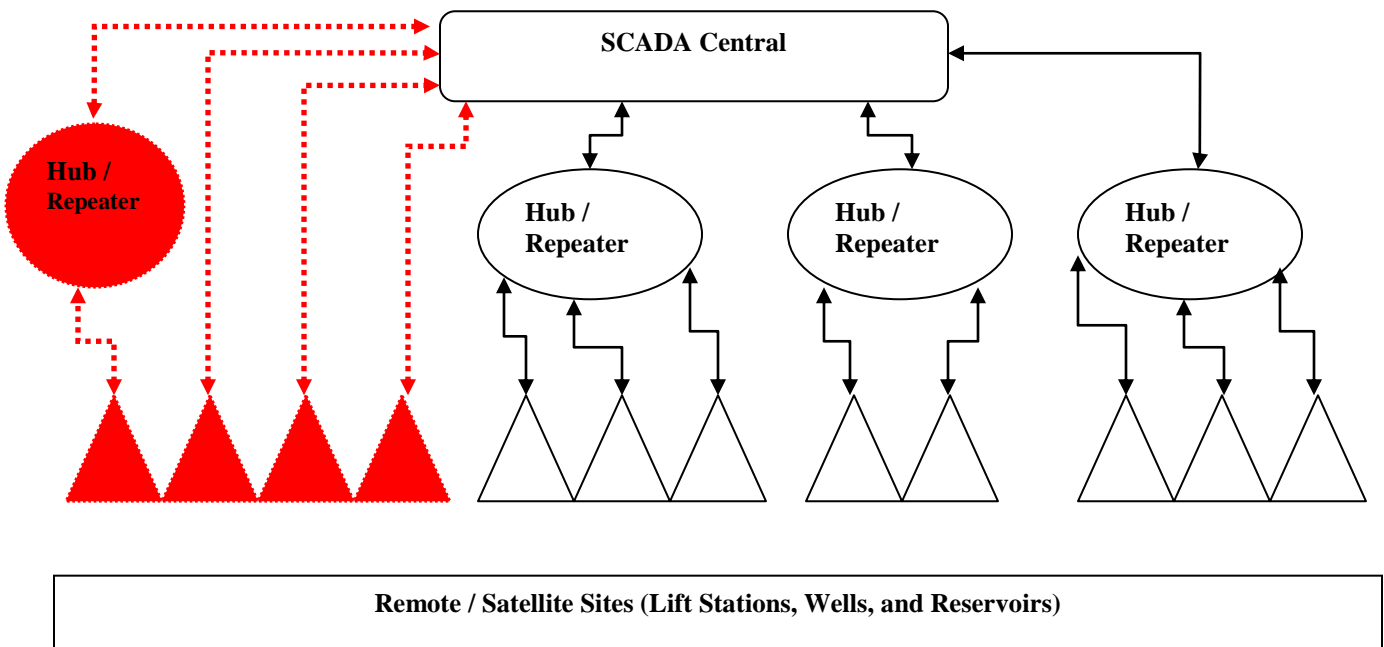
The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-74 adopted November 13, 2012.

Jim Heitzman, Secretary

Current Scope of SCADA Improvements Phase 1



Revised Scope of SCADA Improvements Phase 1



Marina Coast Water District
Agenda Transmittal

Agenda Item: 7-E

Meeting Date: November 13, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of October 9, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of October 9, 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 October 9, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the October 9, 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: 7-F

Meeting Date: November 13, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of October 23, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of October 23, 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 October 23, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the October 23, 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: 7-G

Meeting Date: November 13, 2012

Submitted By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of October 26, 2012

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of October 26, 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 October 26, 2012.

Staff Recommendation: The Board of Directors approve the draft minutes of the October 26, 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: 8-A

Meeting Date: November 13, 2012

Prepared By: Kelly Cadiente

Presented By: Kelly Cadiente

Agenda Title: Consider Adoption of Resolution No. 2012-75 to Approve the District's Fraud Policy

Detailed Description: Staff is requesting the Board consider adoption of Resolution No. 2012-75 to approve the Draft District Fraud Policy (Policy). During the District's audit of the FY 2010/2011 financial statements, the auditors recommended that the District adopt a fraud policy. The District addresses fraudulent behavior or actions in the District's Employee Handbook section 19.2 and in various other policies of the District however, the auditors recommended that the District also adopt a separate policy specifically addressing fraud.

The Policy was presented to the Budget and Personnel Committee at the October 26, 2012 meeting for review and discussion. The Committee requested verification that the Policy was consistent with the Board Procedures Manual and recommended that it go before the Board for approval.

Environmental Review Compliance: None required.

Prior Committee or Board Action: October 26, 2012 Budget & Personnel Committee reviewed the Draft District Fraud Policy for recommendation for Board approval at the November 13, 2012 Board meeting.

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: Resolution No. 2012-75; and, Draft District Fraud Policy.

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-75 to approve District Fraud Policy.

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

Resolution No _____ Motion By _____ Board Action
Seconded By _____
Ayes _____ Abstained _____
Noes _____ Absent _____
Reagendized _____ Date _____ No Action Taken _____

November 13, 2012

Resolution No. 2012-75
Resolution of the Board of Directors
Marina Coast Water District
Approving the District's Fraud Policy

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, during the District's audit of the FY 2010/2011 financial statements, the auditors recommended that the District adopt a fraud policy; and,

WHEREAS, although the District addresses fraudulent behavior or actions in the District's Employee Handbook section 19.2 and in various other policies of the District, this is a separate policy specifically addressing fraud; and,

WHEREAS, the Policy was presented to the Budget and Personnel Committee at the October 26, 2012 meeting for review and discussion. The Committee requested verification that the Policy was consistent with the Board Procedures Manual and recommended that it go before the Board for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2012-75 to approve the District's Fraud Policy.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-75 adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: November 13, 2012

Submitted By: Brian True

Presented By: Andrew Sterbenz

Agenda Title: Consider Adoption of Resolution No. 2012-76 to Approve Revisions to the Water Conservation Commission Procedures and to the Board Procedures Manual Section Regarding the Water Conservation Commission

Detailed Description: The Board of Directors is requested to approve revisions to the Water Conservation Commission Procedures and to the Board Procedures Manual section regarding the Water Conservation Commission.

The Water Conservation Commission was charged by the Board of Directors in the Fall of 2011 with evaluating the Commission's scope of duties and responsibilities. A specific question within the request was for the Commission to determine if their scope should increase, stay the same, or decrease.

The Commission has met regularly since that time and has considered the Board's charge thoroughly. Through that effort, the Commission and staff determined that the most coherent recommendations they could provide to the Board would be in the form of proposed revisions to Water Conservation Commission Procedures document and to the Board Procedures Manual section regarding the Water Conservation Commission. The Commission brought draft recommendations to the Board on March 13, 2012 and received suggestions and direction from the Board. On June 12, 2012, the Commission received the Boards direction to eliminate the CSUMB and Army representatives from the Commission.

In general, the Commission would like the scope and responsibilities to stay the same; they have expressly indicated that they prefer their meetings continue to be conducted on a monthly basis. Other recommendations that appear in the attached document highlighting their suggested revisions include:

- Expressly indicating that Best Management Practice implementation and the conservation budget are elements of the Conservation Program within their scope;
- Clarifying how and where MCWD will advertise vacancies on the Commission;
- Clarifying who is eligible to be a Commissioner and indicating a candidate preference guideline; when providing a recommendation of a new commissioner to the Board;
- Defining "excused absences."

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board received a staff reports on proposed revisions on March 13, 2012 and took action to eliminate CSUMB and Army representatives to the Commission on June 12, 2012. The Board provided suggestions and direction at those times.

Board Goals/Objectives: *Strategic Plan – Objectives Goal No. 1: To manage and sustain the District’s groundwater and desalinated water, recycled water and wastewater services, conservation activities, infrastructure and human resources at or above industry standards.*

Financial Impact: _____ Yes ___X___ No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2012-76; and, a document containing the pertinent Board Procedures Manual section and the WCC Procedures showing the proposed revisions (with changes and strike-outs highlighted).

Staff Recommendation: The Board of Directors adopt Resolution No. 2012-76 approving the revisions to the Water Conservation Commission Procedures and to the Board Procedures Manual Section regarding the Water Conservation Commission

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 13, 2012

Resolution No. 2012 - 76
Resolution of the Board of Directors
Marina Coast Water District
Approving Revisions to the
Water Conservation Commission Procedures and to the
Board Procedures Manual Section
Regarding the Water Conservation Commission

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the Water Conservation Commission was charged by the MCWD Board of Directors in the Fall of 2011 with evaluating the Commission’s scope of duties, the Commission has met regularly since that time, and the Commission has considered the topic thoroughly; and,

WHEREAS, the Commission determined that the most coherent recommendations they could provide to the Board would be in the form of proposed revisions to Water Conservation Commission Procedures document and to the Board Procedures Manual section regarding the Water Conservation Commission; and,

WHEREAS, the Commission brought draft recommendations to the Board on March 13, 2012, received suggestions and direction from the Board, has acted upon that input, and hereby proposes the revisions to Water Conservation Commission Procedures document and to the Board Procedures Manual section regarding the Water Conservation Commission as shown by the attachment to this proposed Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve revisions to the Water Conservation Commission Procedures and to the Board Procedures Manual section regarding the Water Conservation Commission as shown by the attachment to this Resolution.

PASSED AND ADOPTED November 13, 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 _____

Howard Gustafson, Vice 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. 2012-76 adopted November 13, 2012.

Jim Heitzman, Secretary

Excerpt from the current Marina Coast Water District Board Procedures Manual

(Adopted September 13, 2011)

(1). Water Conservation Commission: The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be one (1) voting position on the Commission for a member of the City Council of the City of Marina. ~~one (1) representative from the US Army, and one (1) member from CSUMB.~~ The Board will appoint five (5) members of the public from within the area served by the District, for terms of two years. The members of the Water Conservation Commission shall have the duties and responsibilities to:

(a) review ~~water conservation~~ ordinances and policies and recommend changes to the Board in matters ~~related to conservation and~~ of-water usage by the customers of the District;

(b) review and make recommendations to the Board concerning refinements/adjustments to the water conservation program, ~~including community education specifically conservation Best Management Practice implementation, outreach and educational programs, the conservation budget, and overall District conservation resources;~~

(c) review and make recommendations to the Board on customer appeals to the District's Water Shortage Contingency Plan, Conservation Ordinance, and conservation provisions of the District Code;

(d) review and make recommendations to the Board on equipment and technologies that promote water conservation;

(e) ~~review periodic newsletters, Consumer Confidence Reports, and other conservation outreach activities and~~ make recommendations to the Board for actions to inform the public about the District's ~~actions and~~ conservation activities; ~~and,~~

~~(f) work with the District staff to produce and distribute a periodic newsletter to the public served by the District.~~

Procedures for Marina Coast Water District's
Water Conservation Commission

Adopted By the Commission October 2005
Reviewed by the Board of Directors January 2006

Mission Statement

To provide input to the Board of Directors on matters pertaining to the preservation of the District's water resource through conservation, technological improvements and policy.

PURPOSE: The purpose of this document is to specify the procedures for the selection to, operation of and removal from the Water Conservation Commission within the guidance provided by the Marina Coast Water District Board of Directors Procedures Manual.

1. SELECTION TO THE COMMISSION:

A. When a vacancy exists for the Water Conservation Commission, the vacancy will be advertised to the public through various means approved by staff by a posting at the same locations the District posts notices and MCWD Board of Directors Meeting Agendas and by providing a Public Service Announcement to the Marina Gazette, the Monterey Herald, and the Monterey county Weekly for potential publication at no-cost.

B. Any person residing within the District's service area (either annexed or served by contract) is eligible to volunteer for service on the Water Conservation Commission.

BC. Any person who desires to apply will acquire and complete an application form. Staff will verify that the applicant is eligible for the vacancy to be filled.

ED. An appointment application is received and verified by staff and placed on the Water Conservation Commission agenda. Applicants are informed as to when their application will be considered and that they have the opportunity to address the Commission at that time. The application is then presented to the Board with the recommendation of the Commission. Applicants are informed as to when their application will be considered and that they have the opportunity to address the Board at that time.

E. In the event that there is a commissioner vacancy and multiple applicants volunteer to fill the vacancy (or vacancies), the favored applicant(s) will be the person(s) that achieves Water Conservation Commission representation to the broadest constituency.

DF. If appointed the applicant will be informed by staff of their appointment and the date and time of the next scheduled meeting. If not appointed the applicant will be thanked by staff for their interest in writing.

2. OPERATION OF THE WATER CONSERVATION COMMISSION:

A. Meeting Dates and Times: The Water Conservation Commission meets the 1st Thursday of each month at 5:30 PM in the Marina Coast Water District Board Room unless otherwise specified.

B. Water Conservation Commission Composition: The Board will select a Director and an alternate Director to serve on the Water Conservation Commission. There shall be a voting position on the Commission for a member of the City Council of the City of Marina. The Board will appoint 5 public members for terms of two years.

C. Brown Act: Meetings of the Water Conservation Commission are covered by and will be conducted in compliance with the Brown Act.

D. Conduct of Meetings:

1. Agendas: Staff will produce an agenda for each meeting and distribute the agenda to each member of the Commission either by mail, hand delivery or e-mail sufficiently early to ensure that members have appropriate time to review and prepare comments on said agenda.

2. Commission Leadership: The Commission will select a Chairperson and Vice Chairperson from among themselves. These offices will conduct the meetings to ensure orderly completion of the agenda.

3. Commissioner Meeting Responsibilities:

a. Attendance: Any person serving on the Water Conservation Commission must be prepared for and attend all committee meetings, unless excused for good reason. A good reason for failing to attend a Commission meeting is a personal illness, a family illness or emergency, or being absent from the State with the permission required by law (in accordance with Government Code Section 1770).

b. If a commissioner cannot attend any meeting he or she should give staff as much prior notification as possible to facilitate ensuring that a quorum is available.

3. COMMISSION RESPONSIBILITIES:

The members of the Water Conservation Commission shall have the duties and responsibilities to:

A. review water conservation ordinances and policies and recommend changes to the Board in matters related to conservation and ~~of~~ water usage by the customers of the District;

B. Review and make recommendations to the Board concerning refinements/adjustments to the water conservation program, specifically conservation Best Management Practice implementation, outreach and educational programs, the conservation budget, and overall District conservation resources;

C. Review and make recommendations to the Board on customer appeals to the District's Water Shortage Contingency Plan, Conservation Ordinance, and conservation provisions of the District Code;

D. Review and make recommendations to the Board on equipment and technologies that promote water conservation;

E. Review periodic newsletters, Consumer Confidence Reports, and other conservation outreach activities and make recommendations to the Board for actions to inform the public about the District's actions and conservation activities.; and,

~~F. Work with the District staff to produce and distribute a periodic newsletter to the public served by the District.~~

4. REMOVAL FROM THE COMMISSION:

A. If a commissioner fails to attend meetings of the Commission for three consecutive months his or her position as a commissioner member shall be deemed vacant, unless excused for good reason. A good reason for failing to attend a Commission meeting is a personal illness, a family illness or emergency, or being absent from the State with the permission required by law (in accordance with Government Code Section 1770). Such vacancy shall be reported to the Board and then advertised.

B. Commission vacancies shall be filled for the unexpired portion of the term in the same manner as provided in the case of original appointment.

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: November 13, 2012

Prepared By: Sean Knight

Presented By: Sean Knight

Agenda Title: Consider Adoption of Ordinance No. 55, an Ordinance Adding Chapters 6.08.090.E and 6.12.040.D to the District Code on Transfer of Water and Sewer Capacity Credit

Detailed Description: The Board of Directors is requested to consider adopting Ordinance No. 55 adding Chapters 6.08.090 (E) and 6.12.040 (D) to the District Code which address the topic of transferring water and sewer capacity credit.

On September 11, 2012, the Board heard Agenda Item 8-H which asked the Board to consider providing direction to staff regarding a District policy for transfer of capacity charge credits. As a result of the direction given, staff drafted Ordinance No. 55 and brought it to the October 26, 2012 Budget and Personnel Committee for review. That committee has recommended bring the ordinance to the Board for consideration.

Ordinance No. 55 addresses water, recycled water and sewer capacity credit, the determination of what parcels of land have credit, and how that credit can be transferred.

The capacity credit is tied to the parcel of land which has or had a service connection on record with the District. The typical capacity credit for a residential service connection is one (1) EDU unless the District has records showing a greater amount. Commercial service connections are determined by Appendix C for water and on the basis of "fixture units" for sewer.

This water and sewer capacity credit is restricted to the parcel of land with the existing service connection and cannot be transferred from one parcel of land to another except in the following instances:

1. An agreement between a party and the District exists and was in effect prior to the effective date of the passing of this ordinance.
2. A single owner of adjacent or contiguous parcels with one or more EDUs, can transfer capacity credit throughout those parcels only and must indicate the specific capacity credit to the parcel at the time of modified service.
3. If one parcel with one or more EDUs is subdivided into smaller parcels, the capacity credit shall be allocated to one parcel or divided between parcels in conjunction with the Land Use Jurisdiction through the subdivision process.

Environmental Review Compliance: None required.

Prior Committee or Board Action: September 11, 2012 the Board provided direction on Agenda Item 8-H for implementation of a District policy on transfer of capacity credits; October 26, 2012 the Budget and Personnel Committee reviewed and recommended submission to the Board for consideration of approval of Ordinance No. 55.

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: The financial impact is unknown at this time as it will vary with the number of parcels which have capacity credit who then transfer it to other parcels.

Material Included for Information/Consideration: Ordinance No. 55.

Staff Recommendation: The Board of Directors adopt Ordinance No. 55 Adding Chapters 6.08.090.E and 6.12.040.D to the District Code on Transfer of Water and Sewer Capacity Credit.

Action Required: Resolution Motion Review Ordinance
(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

ORDINANCE NO. 55
AN ORDINANCE ADDING SECTIONS 6.08.090 (E) AND 6.12.040 (D)
OF THE DISTRICT CODE

Be it ordained by the Board of Directors of
Marina Coast Water District
as follows:

Section 1. Authority. This ordinance is enacted pursuant to Sections 30000 and following of the California Water Code.

Section 2. Findings.

- A. This ordinance is considered for action by the Board of Directors at a regularly scheduled and noticed meeting. The agenda was posted in accordance with County Water District Law with opportunity for public review in advance of the meeting and public comment during consideration of the ordinance by the Board.
- B. The Board has requested that transfer of water, recycled water, and sewer capacity credit be specifically addressed within the District's Code.
- C. An addition to the District's Code which defines the transferability of water, recycled water and sewer capacity credit will not require or induce any physical changes to the environment.
- D. Based upon the above findings, the District's legal counsel advises, and the Board finds, that this ordinance is not a "project" for the purposes of the California Environmental Quality Act ("CEQA"), pursuant to Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines codified at 14 CCR §15378 and that actions taken pursuant to this ordinance are statutorily exempt from CEQA according to Title 14 California Code of Regulations 15269.
- E. The District has duly mailed notice of the meeting to consider adoption of this ordinance to any person or entity requesting such notice in writing. Any such written requests are on file with the District.

Section 3. Purpose Of Ordinance. The purpose of this ordinance is to amend the District Code by adding District Code Sections 6.08.090 (E) and 6.12.040 (D).

Section 4. Water and Sewer Fees and Charges. Sections 6.08.090 (E) and 6.12.040 (D) of the District Code are hereby adopted to read as follows:

6.08.090 Capacity charges for new or modified potable and recycled water service connections.

E. A parcel of land that has/had a water service connection to the District's potable and/or recycled water system, on record with the District, is considered to have capacity credit. A residential water service connection shall be deemed to have one (1) EDU of water capacity unless the District has records which show a greater amount. Capacity for a commercial water service connection is determined by Appendix C. All capacity credit is restricted to the parcel of land with the existing water service connection and cannot be transferred from one parcel to another unless an agreement with the District was in effect prior to [____ day of _____, 2012] the effective date of this ordinance or as follows:

1. A single owner of parcels which touch along a parcel line or at a point with one or more EDUs, can transfer capacity credit throughout those parcels only, and must indicate the specific capacity credit to the parcel at the time of modified service.
2. If one parcel with one or more EDUs is subdivided into smaller parcels, the capacity credit shall be allocated to one parcel or divided between parcels in conjunction with the Land Use Jurisdiction through the subdivision process. However, no less than one EDU may be allocated to any one parcel.

6.12.040 Capacity charge for new and modified sewer service connection

D. A parcel of land that has/had a sewer service connection to the District's sewer collection system, on record with the District, is considered to have capacity credit. A residential sewer service connection shall be deemed to have one (1) EDU of sewer capacity unless the District has records which show a greater amount. Capacity for a commercial sewer service connection is determined on the basis of existing "fixture units." All capacity credit is restricted to the parcel of land with the existing sewer service connection and cannot be transferred from one parcel to another unless an agreement with the District was in effect prior to [____ day of _____, 2012] the effective date of this ordinance or as follows:

1. A single owner of parcels which touch along a parcel line or at a point with one or more EDUs, can transfer capacity credit throughout those parcels only, and must indicate the specific capacity credit to the parcel at the time of modified service.
2. If one parcel with one or more EDUs is subdivided into smaller parcels, the capacity credit shall be allocated to one parcel or divided between parcels in conjunction with the Land Use Jurisdiction through the subdivision process. However, no less than one EDU may be allocated to any one parcel.

Section 5. Effective Date. Section 6.098.090(E) of the District Code shall be in full force and effect thirty (30) days from and after the date of adoption. Section 6.12.040(D) of the District Code shall be in full force and effect immediately upon adoption in accordance with section 31105(a) of the Water Code.

Section 6. Publication and Posting. Within 10 days after adoption, the district shall publish once in full in a newspaper of general circulation, printed, published and circulated in the district.

Section 7. Notice of Exemption Notice of Determination. The Secretary is authorized and directed to give due notice of exemption of this ordinance from the provisions of CEQA, pursuant to Title 14, California Code of Regulations, section 15062.

Section 8. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

Section 9. Interpretation. Words and Phrases used in this ordinance shall be read conjunctively with and shall have the same meaning as in prior district ordinances and the District Code, unless specifically changed by this ordinance or unless the context requires some other construction. If there is any inconsistency between this ordinance and prior provisions, this ordinance shall control.

On motion of Director _____, seconded by Director _____; the foregoing Ordinance is enacted and shall take effect upon adoption by the following roll call of the Board:

Ayes: _____
Nays: _____
Absent: _____
Abstained: _____

By _____
Howard Gustafson, Vice President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned hereby certifies that the foregoing Ordinance was adopted and approved by the Board of Directors at a special meeting on November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: November 13, 2012

Submitted By: Patrick Breen

Presented By: Patrick Breen

Reviewed By: Andrew Sterbenz

Agenda Title: Consider Adoption of Resolution No. 2012-77 to Authorize the General Manager to Take Any and All Actions Necessary to Provide a Conditional Commitment to the General Services Administration to Construct an Imjin Office Park Building to House the Bureau of Land Management Regional Office

Detailed Description: The Bureau of Land Management (BLM) is seeking property within the City of Marina to house its regional office. The District owns a building lot within the Imjin Office Park development that was purchased from the Association of Bay Area Governments (AMBAG) that staff has submitted for BLM consideration. In order to continue to be considered the District needs to conditionally commit to funding the construction of the building as a part of the proposal process.

Since the BLM is a Federal entity, the General Services Administration (GSA) is administering the procurement of the new space. Staff responded to the GSA's Request for Lease Proposal and submitted the District's parcel and proposed building at a lease rate that recoups all of the District's costs to acquire the property and construct the building within the proposed 15 year term of the lease (20 Year Lease, 15 Firm).

In order for the District's property to continue to be considered, the GSA requires an Offeror to provide satisfactory evidence of at least a conditional commitment of funds in an amount necessary to prepare the Space. The conditional commitment is required to be signed by an authorized financial official and needs to state: the amount of loan required, term in years, annual percentage rate, and the length of loan commitment.

Based on the cost of the District's other building within the Imjin Office Park (currently occupied by FORA), Staff estimates the cost of constructing the proposed building at \$3.2 million (excluding the property acquisition costs of \$404,000 which have already been expended). The District will need to finance or fund the estimated \$3.2 million in construction cost in order to provide a building to house the BLM.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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.*

November 13, 2012

Resolution No. 2012 - 77
Resolution of the Board of Directors
Marina Coast Water District

Authorize the General Manager to Take Any and All Actions Necessary to
Provide a Conditional Commitment to the General Services Administration to Construct an Imjin
Office Park Building to House the Bureau of Land Management Regional Office

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District owns a building lot within the Imjin Office Park; and,

WHEREAS, the Bureau of Land Management (BLM) through the General Services Administration (GSA) is seeking to house their Regional Offices within the City of Marina; and,

WHEREAS, District Staff has submitted the Imjin Office Park building lot and proposed building to GSA for consideration; and,

WHEREAS, the GSA procurement process requires any Offeror is required to provide a conditional commitment to fund construction of proposed space to be considered.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to take any and all actions necessary to provide a Conditional Commitment to the General Services Administration to Construct an Imjin Office Park Building to house the Bureau of Land Management Regional Office

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-77 adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: November 13, 2012

Submitted By: Andrew Sterbenz

Presented By: Andrew Sterbenz

Agenda Title: Consider Adoption of Resolution 2012-78 to Approve the Water Supply Assessment and Written Verification of Supply for the Monterey Downs Specific Plan

Detailed Description: The Board of Directors is requested to approve the *Water Supply Assessment and Written Verification of Supply for the Monterey Downs Specific Plan* (Attached as Exhibit A).

At the request of the City of Seaside, the District prepared a Water Supply Assessment (WSA) and Written Verification of Supply (WVS) for the proposed Monterey Downs Specific Plan. The specific plan includes three adjacent projects: the Monterey Downs master-planned community, which includes a horse park and an equestrian training facility; the California Central Coast Veterans Cemetery; and the City of Seaside Corporation Yard. The project is located on land in both the City of Seaside and unincorporated Monterey County. The Specific Plan proposes annexing the entire project area into the City of Seaside. The WSA was prepared in accordance with Senate Bills 610 and 221 which modified portions of the California Water Code and Government Code to assure that certain proposed developments are provided with a reliable water supply. These (code) modifications require detailed information regarding water availability be provided, in this case, to City of Seaside and County of Monterey decision-makers prior to approval of the specified development. The law intends that WSA/WV's will serve as evidentiary basis for approval action by the City. The WSA will be circulated with the Monterey Downs Specific Plan Draft Environmental Impact Report.

District staff and its consultant Schaaf & Wheeler worked with the Developer and the City officials to develop this WSA. The WSA concludes that the total water demand for the project will be 852.5 acre-feet per year (AFY). The project is located in the City of Seaside and unincorporated Monterey County. These jurisdictions have 382.2 acre-feet of currently-available groundwater supply in Zones 2/2A as allocated by Monterey County Water Resources Agency, which may be sub-allocated to the Monterey Downs Specific Plan. The remainder of the Project will require the development of additional water supplies to serve the Ord Community, as approved under the Regional Urban Water Augmentation Project.

Environmental Review Compliance: This item is a required portion of the City's CEQA EIR for the Monterey Downs Specific Plan.

Prior Committee or Board Action: On April 10, 2012, the Board approved Resolution No. 2012-18 to Approve a Professional Services Agreement with Schaaf & Wheeler to prepare this Water Supply Assessment.

Board Goals/Objectives: *Strategic Plan: Goal No. 1: To manage and sustain the District's groundwater and desalinated water, recycled water and wastewater services, conservation activities, infrastructure and human resources at or above industry standards. 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 ___X___ No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: Resolution No. 2012-78; and, Water Supply Assessment and Written Verification of Supply for the Monterey Downs Specific Plan (Exhibit A).

Staff Recommendation: Consider adoption of Resolution No. 2012-78 to approve the Water Supply Assessment and Written Verification of Supply for the Monterey Downs Specific Plan.

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

Board Action

_____ Resolution No _____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

November 13, 2012

Resolution No. 2012-78
Resolution of the Board of Directors
Marina Coast Water District
Approving the Water Supply Assessment and Written
Verification of Supply for the Monterey Downs Specific Plan

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the City of Seaside is the lead agency for preparation of the Monterey Downs Specific Plan, a project that is located in the City of Seaside and in unincorporated Monterey County; and,

WHEREAS, the City of Seaside is required to produce a water supply assessment (Water Code section 10910 et. seq.) and written verification of supply (Government Code section 66473.7 (b)(1)) as part of the approval process for the Monterey Downs Specific Plan; and,

WHEREAS, the City of Seaside requested that the District, as the public water supplier for the area of development, analyze the available supplies and produce the required assessment and written verification of supply; and,

WHEREAS, the District completed the requested water supply assessment which concluded, pursuant to Section 10910 of the California Water Code, that the District’s water supplies are currently not sufficient to meet the full water demand of 852.5 acre-feet per year associated with the proposed Monterey Downs Specific Plan in addition to other existing and previously approved development demands expected by the District in the Ord Community as described in the District’s Urban Water Management Plan during normal, single-dry and multiple dry years within a twenty-year projection; and, pursuant to Section 66473.7 of the California Government Code, the District’s water supplies are currently sufficient to meet up to 382.2 acre-feet per year of the proposed water demands of the Development, in addition to other planned demands expected by the District in the Ord Community Service Area as described in the District’s Urban Water Management Plan during normal, single-dry and multiple dry years within a twenty-year projection; and,

WHEREAS, the District has planned the Regional Urban Water Augmentation Project to develop additional water supply for the Ord Community, and has certified a CEQA Environmental Impact Report for the Project, which is sufficient for the remainder of the Monterey Downs Specific Plan; and,

WHEREAS, the Water Supply Assessment is confirmation of the availability of a reliable water supply for an initial phase of the project, based on the “Agreement between the United States of America and Monterey County Water Resources Agency Concerning Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency” dated September 21, 1993; and,

WHEREAS, the Monterey Downs Specific Plan area is within the District's Ord Community service area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the Water Supply Assessment and Written Verification of Supply for the proposed Monterey Downs Specific Plan.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-78 adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-F

Meeting Date: November 13, 2012

Prepared By: Jim Heitzman

Presented By: Jim Heitzman

Agenda Title: Consider Adoption of Resolution No. 2012-79 in Recognition of District Employees

Detailed Description: Staff is requesting the Board of Directors adopt Resolution No. 2012-79 to show recognition of District employees.

District employees have consistently demonstrated their training and willingness of support of others. Most recently, several employees of the District were first responders, willing to perform as needed, in a critical emergency. The Board recognizes the training, willingness and support the District employees demonstrated.

Environmental Review Compliance: None.

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: N/A

Material Included for Information/Consideration: Resolution No. 2012-79

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2012-79 in recognition of District employees.

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

| | | | | | | |
|---------------|-------|-----------|-------|-----------------|-------------|-------|
| Resolution No | ___ | Motion By | _____ | Board Action | Seconded By | _____ |
| Ayes | _____ | Abstained | _____ | | | |
| Noes | _____ | Absent | _____ | | | |
| Reagendized | _____ | Date | _____ | No Action Taken | _____ | |

November 13, 2012

Resolution No. 2012-79
Resolution of the Board of Directors
Marina Coast Water District
Recognizing District Employees

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on November 13, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, District employees have consistently demonstrated their training and willingness of support of others; and,

WHEREAS, recently, several employees of the District were first responders, willing to perform as needed, in a critical emergency; and,

WHEREAS, the Board recognizes the training, willingness and support the District employees demonstrated.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2012-79 recognizing District employees.

PASSED AND ADOPTED on November 13, 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 _____

Howard Gustafson, Vice 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. 2012-79 adopted November 13, 2012.

Jim Heitzman, Secretary

Marina Coast Water District
Staff Report

Agenda Item: 9-A

Meeting Date: November 13, 2012

Prepared by: Brian True

Presented By: Andrew Sterbenz

Reviewed by: Andrew Sterbenz

Subject: Receive Update Regarding the Status of the Greater Monterey County Integrated Regional Water Management Plan

Summary: The Board of Directors is requested to receive this Staff Report regarding the status of the Greater Monterey County Integrated Regional Water Management Plan (IRWMP). The Greater Monterey County Regional Water Management Group (GMC Group) consists of local agencies and stakeholders responsible for developing and implementing the Greater Monterey County IRWMP. This Staff Report is intended to inform the Directors of the progress and status IRWMP and also to alert them that staff will be recommending they approve the IRWMP at a future Board Meeting.

The GMC Group has prepared and finalized the Greater Monterey County IRWMP as of October 2012. Leadership entities of Greater Monterey County Regional Water Management Group members currently are being asked to review and approve this final IRWMP. The document can be viewed or downloaded online at: <http://www.greatermontereyirwmp.org/documents/plan/>.

District staff will provide assistance in obtaining a hard copy of the document upon request; the entire IRWMP is a very large document (approximately 500-pages). The Executive Summary of the IRWMP is attached for your consideration.

The District Board was last updated on activities related to the IRWMP and the Regional Water Management Group on April 13, 2010. More recently, District staff has participated in the review of projects for incorporation into the IRWMP, including MCWD's Recycled Water Element of the Regional Urban Water Augmentation Project (RUWAP). The District is an original member of the Greater Monterey County Regional Water Management Group and has collaborated with the Group since its inception in its current form in 2009. In the past, MCWD was granted State Integrated Regional Water Management Program (IRWM Program) resources, commonly referred to as Proposition 50 resources, through the California Department of Water Resources (the State) that have assisted in the installation of Well 34, Watkins Gate Well, and transmission pipelines. The District's Recycled Water Element of RUWAP proposal is currently ranked number 7 out of 31 projects contained in the IRWMP, indicating a high priority for funding and potential implementation.

The rationale to approve the IRWMP when that moment comes, potentially as soon as December of 2012, may be highlighted by the following:

- The IRWMP is essentially a plan that enables included projects to apply for IRWM Program funds from the State. Any entity that proposes a project that is then advanced from the GMC Group to the State for funding will be required to accept the IRWMP.

- Approval of the IRWMP was a general condition of the Memorandum of Agreement signed by MCWD upon inception of the GMC Group. Approval of the IRWMP does not result in financial obligations or binding commitments on the part of MCWD. There is no requirement that the contents of the IRWMP are binding policy of MCWD and there is no requirement that all parties agree with every aspect of the IRWMP.
- The IRWMP provides an increasingly important basis for obtaining funds from other sources besides IRWM Program grant funds, including State Revolving Fund resources, resources through Section 319 of the Clean Water Act, the U.S. Bureau of Reclamation's Title XVI Program, and other state and federal programs. Inclusion in the GMC Group and having a project be contained within the IRWMP will allow MCWD to "check off a box" within many different funding source applications.
- Inclusion in the IRWMP allows MCWD projects to benefit by increasing opportunities for collaboration and assistance, increasing public support for projects, and improving communication with regional organizations.
- In general, District ratepayers would derive benefits from the successful implementation of many IRWMP projects, including: water supply reliability, water quality protection, enhanced stormwater and flood management, watershed and ecosystem protection, and enhancement of natural resources and recreation.

Integrated regional water management is a relatively new concept that is highly encouraged by managers and legislators to solve water management problems and to ensure water supply, quality and reliability. The State's overall objective of the IRWM Program is to solve regional water-related problems, improve resource management strategies and efficiency, and provide multiple benefits through regional communication and collaboration. The GMC Group's IRWMP attempts to coordinate local water and land use planning while considering flood management, climate change, disadvantaged communities, environmental stewardship, urban development, and protection of agriculture. The core of this IRWMP is a list of ranked projects that will be submitted to the State in an application for grant funds when the State calls for projects (approximately every other year or more frequently).

District staff, as directed by the General Manager, is proposing that the Board adopt a Resolution in the future accepting the IRWMP based on the above listed rationales, benefits, the potential overall efficiency of integrated regional water management, and the promise of long-term success in implementing projects. Acceptance of the IRWMP will also allow MCWD to continue coordinating with key regional organizations and stakeholders which can foster creative solutions and collaborative projects, provide vehicles for the resource application, and increase awareness of additional funding opportunities. District staff is prepared to discuss details regarding the IRWMP with District Board members to encourage acceptance of the IRWMP.

Marina Coast Water District
Staff Report

Agenda Item: 9-B

Meeting Date: November 13, 2012

Prepared By: Andrew Sterbenz

Subject: Receive a Report on the RUWAP Desalination Project Design-Build Request for Qualifications

Summary: On September 27, 2012, the District Staff issued a Request for Qualifications for Design/Build Services for the Desalination Project portion of the Regional Urban Water Augmentation Project. The District is looking for firms or teams of firms which can design, build, operate and potentially finance this facility.

Soliciting Statements of Qualification (SOQs) allows the District to identify a short list of qualified teams, which may then be invited to submit detailed proposals for design, construction and operation of the desalination facility. Staff will review the SOQs later this month.

The deadline for submission of statements of qualifications was 5:00 PM on November 7, 2012, which is after the publishing deadline for the Board packet. Staff will verbally report at the meeting which firms and teams have submitted Statements of Qualification.