



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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

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## DIRECTORS

THOMAS P. MOORE  
*President*

JAN SHRINER  
*Vice President*

HOWARD GUSTAFSON  
WILLIAM Y. LEE  
PETER LE

## Agenda

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

211 Hillcrest Avenue, Marina, California

Monday, July 1, 2013, 6:45 p.m. PST

*This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:45 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, 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. Public Comment on Closed Session Items** *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

#### 4. 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, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case No. H038550

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, June 27, 2013 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 July 15, 2013.

2) 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

3) 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)

4) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

- B. Pursuant to Government Code 54956.9(b)(1)  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation: One Potential Case
- C. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator (General Manager, District Counsel)  
Property: Water Rights  
Negotiating Parties: Clark Colony Water Company and MCWD  
Under Negotiations: Price and Terms
- D. Pursuant to Government Code 54957.6  
Conference with Labor Negotiator (Howard Gustafson)  
Unrepresented Employee (Interim General Manager)

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

**5. 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.*

## **6. Pledge of Allegiance**

**7. 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 four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

**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 four minutes.*

- A. Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013
- B. Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013

C. Approve the Draft Minutes of the Adjourned Regular Board Meeting of June 13, 2013

D. Approve the Draft Minutes of the Regular Board Meeting of June 17, 2013

**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 four minutes.*

A. Consider Adoption of Resolution No. 2013-41 to Amend the Mass Mutual (Hartford) 457(b) Deferred Compensation Plan to Allow Rollover Contributions and Plan-to-Plan Transfers

*Action: The Board of Directors will consider approving an amendment to the Mass Mutual 457 (b) deferred compensation plan to allow rollover contributions and plan-to-plan transfers.*

B. Consider Adoption of Resolution No. 2013-42 to Approve an Agreement with Monterey Peninsula Unified School District for Construction and Transfer of Water Infrastructure at Marina High School

*Action: The Board of Directors will consider approving an agreement with Monterey Peninsula Unified School District for construction and transfer of water infrastructure at Marina High School.*

C. Consider Adoption of Resolution No. 2013-43 to Approve a Quitclaim Deed of an Abandoned Potable Water Pipe and Easements to Monterey Peninsula Unified School District

*Action: The Board of Directors will consider approving a Quitclaim Deed of an abandoned potable water pipe and easements to Monterey Peninsula Unified School District.*

D. Receive the Compilation of Draft Comments on the Notice of Preparation for the Monterey Regional Water Pollution Control Agency's Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report and Provide Direction to Staff Regarding Submittal of Final Comments

*Action: The Board of Directors will review the compilation of draft comments and provide direction regarding the submittal of final comments on the Notice of Preparation for the Monterey Regional Water Pollution Control Agency's Groundwater Replenishment Project's Environmental Impact Report and provide direction to staff regarding the submittal of final comments.*

E. Consider Continued Membership in CalDesal – an Advocacy Organization for Desalination

*Action: The Board of Directors will consider continuing membership in CalDesal.*

- F. Consider Nominating a District Board Member to the Position of President or Vice President to the Association of California Water Agencies Board

*Action: The Board of Directors will discuss and consider nominating a District Board member to the position of President or Vice President to the Association of California Water Agencies Board.*

- G. Consider Providing Direction to the Board President on Nomination to the California Special Districts Association Board of Directors Region 3, Seat B

*Action: The Board of Directors will consider electing a representative to the Region 3, Seat B for the California Special Districts Association.*

- H. Discuss Possible Participation in the Community Labor Day Parade

*Action: The Board of Directors will discuss whether to participate in the Community Labor Day Parade.*

**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 four minutes.*

- A. General Manager's Report

- Correspondence Received by Board or General Manager
- Updated Budget Schedule
- 2013 WWOC Evaluation Form

- B. Counsel's Report

- C. Committee and Board Liaison Reports

- |                                  |                                           |
|----------------------------------|-------------------------------------------|
| 1. Water Conservation Commission | 7. FORA                                   |
| 2. Joint City-District Committee | 8. WWOC Report                            |
| 3. Executive Committee           | 9. JPIA Liaison                           |
| 4. Community Outreach            | 10. Special Districts Association Liaison |
| 5. MRWPCA Board Member           | 11. CalDesal                              |
| 6. LAFCO Liaison                 |                                           |

**11. Board Member Requests for Future Agenda Items**

- A. Board Member Requests

**12. Director's Comments**

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

*Regular Meeting: Monday, July 15, 2013, 6:45 p.m.,  
211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013
- B) Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013
- C) Approve the Draft Minutes of the Adjourned Regular Board Meeting of June 13, 2013
- D) Approve the Draft Minutes of the Regular Board Meeting of June 17, 2013

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

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

Financial Impact: See individual transmittals.

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

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

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

(Roll call vote is required.)

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Board Action

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

Ayes\_\_\_\_\_    Abstained\_\_\_\_\_

Noes\_\_\_\_\_    Absent\_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of May 20, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of May 20, 2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On June 17, 2013 this item was tabled because there was not a quorum of those present at the May 20<sup>th</sup> meeting to vote on the minutes.

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 May 20, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the May 20, 2013 regular Board meeting.

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

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Board Action

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

Ayes\_\_\_     Abstained\_\_\_

Noes\_\_\_     Absent\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting/Budget Workshop of June 3, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of June 3, 2013.

Environmental Review Compliance: None required.

Prior Committee or Board Action: This item was discussed at the June 17, 2013 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: None.

Material Included for Information/Consideration: Draft minutes of June 3, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 3, 2013 regular Board meeting/budget workshop.

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

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Board Action

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

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

Noes\_\_\_\_\_     Absent\_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Adjourned Regular Board Meeting of June 13, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of June 13, 2013.

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 June 13, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 13, 2013 adjourned regular Board meeting.

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

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Board Action

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

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

Noes\_\_\_\_\_     Absent\_\_\_\_\_

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



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of June 17, 2013

Detailed Description: The Board of Directors is requested to approve the attached draft minutes of June 17, 2013.

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 June 17, 2013.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 17, 2013 regular Board meeting.

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

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Board Action

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

Ayes\_\_\_     Abstained\_\_\_

Noes\_\_\_     Absent\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: July 1, 2013

Prepared By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-41 to Amend the Mass Mutual (Hartford) 457(b) Deferred Compensation Plan to Allow Rollover Contributions and Plan-to-Plan Transfers

Description: The Board is requested to consider adoption of Resolution No. 2013-41 to amend the Mass Mutual (Hartford) 457(b) Deferred Compensation Plan to allow rollover contributions and plan-to-plan transfers.

More than ten years ago, the District contracted with The Hartford Life Insurance Plan to provide employees with a non-qualified tax advantage retirement plan. Employees who elect to participate designate an amount up to the Internal Revenue Code Section 402(g) limit to be contributed each pay period. Employees direct their investments in mutual funds, stock, bonds and/or savings accounts.

The current plan does not allow participants to rollover distributions from another “eligible retirement plan” into the Mass Mutual 457(b) plan. In addition, under the existing plan, participants or beneficiaries who are participants in another eligible governmental plan under Code Section 457(b) are not eligible for plan-to-plan transfers.

In January of this year, Mass Mutual acquired The Hartford Retirement Group Plan. Mass Mutual’s retirements plans have a strong focus on the mid-size market and offer a full range of products and services for corporate, union, nonprofit and governmental employers’ defined benefit, defined contribution and nonqualified deferred compensation plans. Mass Mutual now has approximately 40,000 retirement plans, 3 million participants, and \$120 billion in retirement assets under management. Mass Mutual’s plan offers a variety of options for savings and investments including a guaranteed 4% APR on their fixed savings plan as well as a participant loan program.

Due to the acquisition of the current plan by Mass Mutual, it would benefit participants to have the capability to rollover distributions from another eligible plan and/or to make plan-to-plan transfers at no cost to the District. Therefore, it is recommended that the Board approve amending the current plan to include these options.

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: N/A

Material Included for Information/Consideration:   Resolution No. 2013-41; and, Amended Deferred Compensation Plan.

Staff Recommendation:   The Board of Directors adopt Resolution No. 2013-41 to amend the Mass Mutual (Hartford) 457(b) Deferred Compensation Plan to allow rollover contributions and pan-to-plan transfers.

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

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

July 1, 2013

Resolution No. 2013-41  
Resolution of the Board of Directors  
Marina Coast Water District  
Amending the Mass Mutual (Hartford)457(b) Deferred Compensation Plan  
To Allow Rollover Contributions and Plan-to-Plan Transfers

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 1, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the Board has previously approved and adopted the Marina Coast Water District Deferred Compensation Plan (“Plan”) to provide employees of the District with retirement benefits. The District amends the Marina Coast Water District Deferred Compensation Plan (“Plan”) to reflect that effective July 1, 2013 in addition to participants who are employees, separated employees with an account balance and beneficiaries of participants with an account balance will be eligible to make rollover contributions into the plan. Rollover contributions will continue to be allowed from all eligible retirement plans and IRAs; and,

WHEREAS, the Board does hereby declare the intention of the District to continue the Plan, but reserves the right to terminate or amend the Plan at any time; and,

WHEREAS, the members of the Board are hereby joint and severally authorized to take such actions and to execute such documents as they deem necessary or desirable in order to carry out the intent of the foregoing resolution and required under the Plan to make the Plan fully effective in accordance with its terms and intent.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2013-41 to amend the Mass Mutual (Hartford) 457(b) Deferred Compensation Plan to allow Rollover Contributions and Plan-to-Plan Transfers

PASSED AND ADOPTED on July 1, 2013, 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 \_\_\_\_\_

\_\_\_\_\_  
Thomas P. Moore, President

ATTEST:

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Brian C. Lee, 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. 2013-41 adopted July 1, 2013.

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Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: July 1, 2013

Submitted By: Peter Spiro

Presented By: Brian C. Lee

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-42 to Approve an Agreement with Monterey Peninsula Unified School District for Construction and Transfer of Water Infrastructure at Marina High School

Detailed Description: The Board of Directors is requested to approve a Construction and Transfer of Water Infrastructure Agreement (hereafter referred to as the Infrastructure Agreement) between MCWD and Monterey Peninsula Unified School District (MPUSD) for the Marina High School Fire Service Upgrade Project.

The proposed project includes the installation of approximately 920 lineal feet of a 12-inch water line, two commercially sized fire hydrants, new service laterals with dedicated meters, stubs for future extensions and outlets for irrigation meters. The project also includes the abandonment of an existing 6-inch line of which portions will be removed and portions will be abandoned in place. The approved design has taken into consideration vacating a District owned former well lot from all underground utilities in preparation for its future redevelopment plan.

The existing system at MPUSD campus (including Marina High School and Gladys Child Development Center) was deemed deficient by others as it doesn't allow for an adequate fire flow. The Fire Department requires 1500 gallons per minute at a 20 psi residual pressure. The existing system yields 890 gallons per minutes at the minimum required pressure. Several alternatives were studied including energizing a portion of the currently inactive system south of the School site. That solution was found to be costly and more difficult to maintain. The proposed project design was chosen as it meets short and long term planning goals for both MPUSD and MCWD.

The upgrade project will allow for the future expansion of the school campus and will provide an opportunity for the District to utilize the newly installed pipeline in serving the future Cypress Knolls subdivision, a portion of former Ford Ord community located nearly 500-ft south of the school campus.

The project doesn't represent any changes in the water use and therefore there is no capacity charges required from MPUSD at this time. However, Per Section 54999.3 of the Government Code, a negotiated agreement between MPUSD and MCWD will be needed in order to determine the capacity charges rate assessment of future expansions or new campuses that MPUSD may pursue.

The enclosed draft Infrastructure Agreement is based on a tailored format designed to fit the project specifics and was reviewed by both Legal Counsels and Districts' staff.

Environmental Review Compliance: CEQA requirements are being handled by MPUSD as lead agency.

Prior Committee or Board Action: None.

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:     \_\_\_X\_\_\_ Yes     \_\_\_\_\_No

Funding Source/Recap: A slight increase in Operation and Maintenance expenditures; an addition to MCWD assets.

Material Included for Information/Consideration: Resolution No. 2013-42; and, Infrastructure Agreement

Staff Recommendation: The Board of Directors is requested to adopt Resolution No. 2013-42, approving an agreement with Monterey Peninsula Unified School District for Construction and Transfer of Water Infrastructure at Marina High School.

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\_\_\_\_\_

July 1, 2013

Resolution No. 2013-42  
Resolution of the Board of Directors  
Marina Coast Water District

Approving a Construction and Transfer of Water Infrastructure Agreement between  
the Marina Coast Water District and the Monterey Peninsula Unified School District  
for the Construction and Transfer of Water Infrastructure  
at Marina High School in Marina, CA

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 1, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District and Monterey Peninsula Unified School District have coordinated the design and the construction of Marina High School Fire Service Upgrade Project, located generally west of Patton Parkway and north of Rendova Road; and,

WHEREAS, the project will achieve short and long term planning goals of the District and Monterey Peninsula Unified School District; and,

WHEREAS, all applicable Government Codes and Regulations have been followed throughout the various stages of the project; and,

WHEREAS, the project doesn’t represent any change in the water use; and,

WHEREAS, the District and Monterey Peninsula Unified School District have agreed upon the proposed Construction and Transfer of Water Infrastructure Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager to sign the Construction and Transfer of Water Infrastructure Agreement between MCWD and Monterey Peninsula Unified School District for the Marina High School Fire Service Upgrade 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 July 1, 2013, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

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

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

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

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



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Thomas P Moore, President

ATTEST:

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Brian C. Lee, Deputy 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. 2013-42 adopted July 1, 2013.

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Brian C. Lee, Deputy Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: July 1, 2013

Submitted By: Peter Spiro  
Reviewed By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2013-43 to Approve a Quitclaim Deed of an Abandoned Potable Water Pipe and Easements to Monterey Peninsula Unified School District

Detailed Description: The Board of Directors is requested to approve a Quitclaim Deed for an abandoned potable water pipe and easements to Monterey Peninsula Unified School District.

The District received the potable water system infrastructure at Monterey Peninsula Unified School District' campus (located east of Patton Parkway, north of Rendova Road) from FORA through the Public Benefit conveyance process. As a part of this conveyance, the District received both the physical pipes and a 15-foot easement (7.5 feet on either side of the pipe, from center of pipe) over that system. The District added a meter at the property line of the MPUSD campus. District's responsibility ends at the meter location per the standard regulations.

The abandoned pipeline with associated appurtenances and the accompanied easements will no longer be needed when replacement of the entire system at the School District compound is completed. Staff has reviewed the existing facilities and determined they are not necessary for future needs. Staff recommends that the District relieve itself of responsibility for the 'soon to be abandoned' infrastructure.

The Recording of the attached Quit Claim document is contingent upon the successful completion of the upgrade project at the School District campus. The new system is scheduled for testing and operation during the first week of August.

District staff requests the Board approve the quitclaim deed for the pipe and the associated easement as described in the attached survey.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Resolution No. 2000-45, Board Approved Water/Wastewater Facilities Agreement Between MCWD and FORA; Resolution No. 2001-52, Board Approved Assignments of Easements on the Former Fort Ord and Ord Military Community, County of Monterey.

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: None

Material Included for Information/Consideration: Resolution No. 2013-43; and, Quitclaim Deed/Survey.

Staff Recommendation: The Board of Directors is requested to adopt Resolution No. 2013-43, to approve a quitclaim deed of an abandoned potable water pipe and easements to Monterey Peninsula Unified School District.

Action Required:    \_\_\_X\_\_\_Resolution    \_\_\_\_\_Motion    \_\_\_\_\_Review  
(Roll call vote is required.)

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Board Action

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

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

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

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

July, 1 2013

Resolution No. 2013 - 43  
Resolution of the Board of Directors  
Marina Coast Water District

Approving a Quitclaim Deed of an Abandoned Water Distribution System to MPUSD

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on July 1, 2103 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District has received from the United States of America via FORA, through a public conveyance process, the potable water infrastructure serving Monterey Peninsula Unified School District’s campus located East of Patton Parkway, North of Rendova Road, a part of the Former Fort Ord; and,

WHEREAS, the water distribution system at said location is currently undergoing an upgrade in order to provide an adequate fire flow and allow for the future expansion of MPUSD campus; and,

WHEREAS, upon completion of said upgrade project MPUSD will dedicate to the District all the proper easements needed to operate and maintain the public portion of the newly installed system; and,

WHEREAS, upon completion of said upgrade project the District no longer has use for or need of the portions of the older distribution system as described in the attached survey.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager/District Engineer to take all actions and execute all documents as may be necessary or appropriate to quitclaim said facilities to MPUSD after said upgrade project facilities have been accepted by the Marina Coast Water District.

PASSED AND ADOPTED on July, 1 2013 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 \_\_\_\_\_

\_\_\_\_\_  
Thomas P. Moore, President

ATTEST:

\_\_\_\_\_  
Brian C. Lee, Deputy 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. 2013-43 adopted July, 1 2013.

\_\_\_\_\_  
Brian C. Lee, Deputy Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: June 17, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive the Compilation of Draft Comments on the Notice of Preparation for the Monterey Regional Water Pollution Control Agency's Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report and Provide Direction to Staff Regarding Submittal of Final Comments

Detailed Description: The District has received a Notice of Preparation regarding the Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report (EIR). The Notice indicates a 30-day public scoping period ending at 5pm on July 2, 2013. Additionally, a public scoping meeting was held on June 18, 2013.

Staff has compiled all the comments received and a draft letter is provided for review before a final is sent to the Monterey Regional Water Pollution Control Agency (MRWPCA) regarding the preparation of an EIR.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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: None.

Material Included for Information/Consideration: Draft comment letter to MRWPCA; and, Notice of Preparation regarding the Monterey Peninsula Groundwater Replenishment Project's Environmental Impact Report.

Staff Recommendation: The Board of Directors is requested to provide direction to staff regarding the final comments on the preparation of the EIR.

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

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Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Continued Membership in CalDesal – an Advocacy Organization for Desalination

Detailed Description: The Board of Directors is requested to consider continued membership in CalDesal. Per CalDesal, they are an advocacy organization for desalination in California and they claim that members of CalDesal benefit from: focused legislative and regulatory advocacy; grassroots organizing; insider news and information; and, an opportunity to become part of the solution. CalDesal's narrow focus allows for the most targeted, credible and persistent support for this important technology. The cost of membership is \$5,000 annually.

The origin of CalDesal is the Association of California Water Agencies (ACWA) desalination subcommittee of which Paul Shoenberger and Paul Helliker from Marin Municipal Water District are co-chairs. CalDesal as a 510 (c)(6) corporation, which allows them to act as a mutual support group and to engage in lobbying activities.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On April 13, 2010, the Board approved participation in CalDesal.

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: Membership Accounts in both water cost centers (01 and 03).

Material Included for Information/Consideration: CalDesal invoice.

Staff Recommendation: The Board of Directors consider continued membership in CalDesal.

Action Required:     Resolution     Motion     Review



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Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-F

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Discuss and Provide Direction to Staff Regarding Consideration of Nominating a District Board Member to the Position of President or Vice President to the Association of California Water Agencies Board

Detailed Description: The Board of Directors is requested to discuss the nomination of one Director to the Association of California Water Agencies (ACWA) Board of Directors.

On June 7, 2013, ACWA sent a call for candidate nominations for a President and Vice President Positions. The term will run for two years beginning January 1 following the election.

The District has been contacted and asked to support the nomination of Kathleen Tiegs, a Cucamonga Valley Water District Board of Director.

Once the Board of Directors makes a decision regarding the nomination to the ACWA Board of Directors, they would have to adopt a Resolution in support of that nomination. Staff can prepare the Resolution and can be adopted at a subsequent meeting as long as it is received by ACWA by September 3, 2013.

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: ACWA letter dated June 7, 2013 and draft Resolution form.

Staff Recommendation: The Board of Directors provide direction to staff regarding consideration of a nomination to the position of President or Vice President to the ACWA.

Action Required:  Resolution  Motion  Review

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Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-G

Meeting Date: July 1, 2013

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Providing Direction to the Board President on Nomination to the California Special Districts Association Board of Directors Region 3, Seat B

Detailed Description: The Board of Directors is requested to discuss voting for one person for California Special Districts Association (CSDA) Board of Directors Region 3, Seat B.

On June 3, 2013, CSDA sent a ballot for a Region 3, Seat B term that will conclude in 2017. Three nominations were received for the CSDA Board of Directors.

Sherry Sterrett – Pleasant Hill Recreation & Park District (incumbent)

Terry Riddle – Solano Resource Conservation District

Kathryn Slater-Carter – Montara Water & Sanitary District

The ballot for must be received by CSDA by 5pm, August 2, 2013.

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: CSDA letter, ballot; and candidate statement for Sherry Sterrett.

Staff Recommendation: The Board of Directors to provide direction to the Board President on a recommendation for nomination to the CSDA Board of Directors Region 3, Seat B.

Action Required:  Resolution  Motion  Review

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Board Action

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

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

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

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