



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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

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

## DIRECTORS

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, March 17, 2014, **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 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 Nos. H038550 and H039559  
(Requested by the Board)

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, March 13, 2014 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 April 7, 2014.

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  
(Requested by the Board)

3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief)  
(Requested by the Board)

B. Pursuant to Government Code 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Subdivision (b) of 54956.9  
Two Potential Cases  
(Requested by the Board)

C. Pursuant to Government Code 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Subdivision (b) of 54956.9  
One Potential Case  
(Requested by the Board)

D. Pursuant to Government Code 54957  
Public Employee Performance Evaluation  
Title: General Manager  
(Requested by the Board)

## **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. Election of Board Vice President**

*Action: The Board of Directors will elect one Director to serve as Vice President of the Board until December 2014.*

(Requested by Director Lee)

## **9. Possible Action on the Special Legal Counsel Investigation Report**

- A. Consider Possible Board Action and Adoption of Resolution No. 2014-12 with Regards to the Harassment Investigation of Director Le  
(Requested by the Board)

*Action: The Board of Directors will consider adopting a resolution with regards to the harassment investigation of Director Le.*

## **10. Presentation**

- A. Presentation from PERC Water for a Reclamation Conveyance Facility Water Supply Project  
(Requested by Staff)

## **11. Budget Workshop**

- A. Receive Draft District FY 2014-2015 Budget, Rates, Fees and Charges for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final Budget Documents  
(Requested by the Board)
- B. Receive District Draft Five-Year Capital Improvements Projects Budgets for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final CIP Budget Documents  
(Requested by the Board)

**12. 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. Accept the District's Draft Five-Year Strategic Plan  
(Requested by the Board)
- B. Approve Letter to Seaside County Sanitation District  
(Requested by the Board)
- C. Adopt Resolution No. 2014-13 to Approve the Job Description, Salary Range, and Hiring of a Full-Time Engineering Technician  
(Requested by Staff)
- D. Adopt Resolution No. 2014-14 to Authorize the General Manager to Execute an Agreement with Surfline/Wavetrak Inc. for Installation of a Surf Monitoring Camera on District Facilities at 11 Reservation Road  
(Requested by Staff)
- E. Receive and File the Check Register for the Month of February 2014  
(Requested by Staff)

- F. Approve the Revised Draft Minutes of the Regular Board Meeting of February 3, 2014  
(Requested by the Board)

**13. 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 Approval of Proposition 218 Public Notice and Set Date, Time and Location for Public Hearing for Proposed Changes in Rates, Fees, and Charges for Marina and Ord Community Service Areas following Report from Special Legal Counsel  
(Requested by the Board)

*Action: The Board of Directors will consider possible Proposition 218 action following a report from Special Legal Counsel.*

- B. Provide Direction to MCWD's Interim General Manager Regarding the Water Conservation Commission's Recommendation to Engage with CSUMB to Develop Water Conservation Outreach Activities  
(Requested by the Water Conservation Commission)

*Action: The Board of Directors will consider providing direction to the Water Conservation Commission regarding CSUMB and their Service Learning Program for student interns.*

- C. Consider Request for Variance from District Code Section 5.20.050 - Grease Trap, Grease Interceptor or Other Device Required  
(Requested by Staff)

*Action: The Board of Directors will consider approving a variance for CSUMB and the grease trap at the Peets Coffee establishment.*

**14. 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
- Draft Board Procedures Manual, Section 42, Payment of Bills
  - Quarterly Financial Statements for October 1, 2013 to December 31 2013
  - Correspondence Received by Board or General Manager
- B. Counsel's Report

C. Committee and Board Liaison Reports

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

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

A. Board Member Requests

**16. Director's Comments**

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

*Regular Meeting: Monday, April 7, 2014, 6:45 p.m.,  
Marina Council Chambers  
211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Election of Board Vice-President

Detailed Description: Resolution No. 98-1, as amended, states that the Board will annually elect a President and Vice-President.

On February 18, 2014, Director Moore was elected President and following a no majority vote for the election of Vice President, that election was tabled.

On March 10, 2014, Director Lee asked that the election of Vice President be revisited.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On February 18, 2014, after not getting a majority vote for the Vice President seat, the Board tabled the election of Vice President.

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

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: The Board of Directors elect a Vice-President to serve until December 2014.

Action Required:  Resolution  Motion  Review

---

Board Action

Resolution No  Motion By  Seconded By

Ayes  Abstained

Noes  Absent

Reagendized  Date  No Action Taken

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: March 17, 2014

Submitted By: Jeanine DeBacker  
Reviewed By: Brian C. Lee

Presented By: Jeanine DeBacker

Agenda Title: Consider Possible Board Action and Adoption of Resolution No. 2014-12 with  
Regards to the Harassment Investigation of Director Le

Detailed Description: The Board of Directors is requested to receive Special Legal Counsel's report regarding the possible actions available to the Board following the investigation of employee complaints against Director Peter Le. On March 3, 2014, the Board of Directors received the results of the investigation and asked Special Counsel DeBacker to bring back a report listing possible actions available for the Board to consider.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On January 6, 2014, the Board of Directors received a report. On March 3, 2014, the Board of Directors received the results of the investigation.

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

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Memorandum from Special Counsel DeBacker; and, Resolution No. 2014-12.

Staff Recommendation: None.

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

March 17, 2014

Resolution No. 2014-12  
Resolution of the Board of Directors  
Marina Coast Water District Issuing  
Censure of Director Le

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regularly scheduled meeting duly called and held on March 17, 2014 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Director Peter Le is a member of the Marina Coast Water District Board of Directors; and,

WHEREAS, complaints of employee harassment were filed against Director Le in December of 2013; and,

WHEREAS, the complaints detailed Director Le’s inappropriate and unprofessional accusation during the regular Board Meeting on December 2, 2013 of the Interim General Manager, accusing him of interfering with the District’s 2013 audit process; and,

WHEREAS, the complaint also detailed Director Le’s inappropriate and unprofessional accusation during the regular Board Meeting on December 2, 2013 that District staff interfered with Director Le’s role as a member of the Ad Hoc Audit Committee; and,

WHEREAS, the complaints also detailed Director Le’s inappropriate and unprofessional accusations during the regular Board Meeting on December 16, 2013 that the Interim General Manager has no authority to present the District’s budget to the Fort Ord Reuse Authority (FORA) Water and Wastewater Oversight Committee; and,

WHEREAS, the complaints also detail Director Le’s frequent large requests for information relating to matters on the agenda without giving sufficient time for the staff to compile the requested information; and,

WHEREAS, the complaints also detail Director Le’s frequent complaining during regular Board meeting open sessions about the failure of staff to provide said information; and,

WHEREAS, the complaints also detail that these actions by Director Le form a pattern of conduct that became evident within a few months of his election onto the Board and these behaviors have continued to the present time; and,

WHEREAS, the complaints show that Director Le’s actions are having a negative impact on staff morale; and,

WHEREAS, the complaints show that Director Le’s actions are being taken by staff as a lack of respect for their competence and work ethic; and,



WHEREAS, Counsel DeBacker attempted to meet with Director Le during the months of December 2013 and January 2014 in an effort to resolve the issue of harassment in a confidential and non-confrontational manner; and,

WHEREAS, Director Le refused to meet with Counsel DeBacker; and,

WHEREAS, Counsel DeBacker was then required to address the harassment complaints to the full Board in Open Session on January 7, 2014; and,

WHEREAS, the full Board considered the seriousness of the complaints and directed Counsel DeBacker to hire a special investigator to determine if the complaints were valid; and,

WHEREAS, Counsel DeBacker retained Investigator Anne Frassetto Olsen, J.D. to conduct said investigation; and,

WHEREAS, Director Le initially refused to meet with the investigator, instead appealing to the entire Board through repeated private emails, demanding a detailed list of information regarding the names of the complainants, questioning counsel's authority to investigate and specific policies violated; and,

WHEREAS, on March 3, 2014 Ms. Olsen presented her findings to the entire Board for consideration; and,

WHEREAS, the investigation concluded that Director Le did violate specific sections of the Board Procedures Manual; and,

WHEREAS, the investigation concluded that Director Le did violate staff's right to privacy per Government Code section 54957; and,

WHEREAS, the Board is being asked to censure Director Le for actions that violated Sections 1, 5, 7 13 and 15 of the District's Board Procedures Manual; and,

WHEREAS, the Board is also being asked to censure Director Le for actions that violated staff's right to privacy per Government Code Section 54957; and,

WHEREAS, censure is an official reprimand of a Board member by the Board; and,

WHEREAS, per Board Policy Manual Section 43 censure may include any or all of the following other actions, to be effective for a time determined by the Board:

- remove the offending Director from committees and representative positions to which the Director has been appointed or designated by the Board
- prevent the offending Director from placing items on the agenda without the specific advance authorization of the Board.

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

- 1) The Board confirms the Special Investigation determination that District staff brought forth valid complaints against Director Le; and,
- 2) Director Le violated the Board policies that require the Board of Directors to treat the District staff courteously and respectfully and to refrain from publicly censuring or criticizing staff; and,
- 3) Director Le further violated the Interim General Manger's privacy rights per Government Code Section 54957; and,
- 4) Director Le shall be removed from all standing and ad-hoc committees he currently serves on; and,
- 5) Director Le shall be removed from all District representative positions he currently holds; and,
- 6) Director Le shall not serve as a representative of the District or on any committee of the District until the first Regularly Scheduled Board Meeting of January 2015, when during the course of normal elections committee and representative nominations are considered; and,
- 7) Director Le shall be prevented from placing items on the agenda without the specific, advance authorization of the Board for a period up to and including the last meeting, regular or special, of the 2014 calendar year; and,
- 8) Director Le shall refrain from engaging in similar conduct in the future.

PASSED AND ADOPTED on March 17, 2014, 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, 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. 2014-12 adopted March 17, 2014.

---

Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-A

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Presentation from PERC Water for a Reclamation Conveyance Facility Water Supply Project

Detailed Description: Representatives from PERC Water will give a brief presentation on a Reclamation Conveyance Facility Water Supply Project.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Copy of presentation slides.

Staff Recommendation: Staff has no recommendation.

Action Required:  Resolution  Motion  Review

---

Board Action

Resolution No  Motion By  Seconded By

Ayes  Abstained

Noes  Absent

Reagendized  Date  No Action Taken

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 11-A

Meeting Date: March 17, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Receive Draft District FY 2014-2015 Budget, Rates, Fees and Charges for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final Budget Documents

Detailed Description: The Board is requested to receive the revised draft District budget for FY 2014-2015 and provide direction to staff regarding preparation of the final budget documents.

The Draft 2014-2015 District Budget was distributed to the Board on March 10, 2014 for review in preparation for the budget workshop.

Edits and further revisions are anticipated based discussions by the Board of the Draft Budget and on items for consideration by the Board on the March 17, 2014 Board agenda.

Prior Committee or Board Action: On February 18, 2014, the Board set the date for the FY 2014-2015 Budget Workshop for March 17, 2014.

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: None

Materials Included for Information/Consideration: Draft FY 2014-2015 Budget Document dated March 17, 2014 (provided separately).

Staff Recommendation: The Board of Directors receive the Draft District FY 2014-2015 Budget documents and associated supporting information for the Marina and Ord Community Service Areas and provide direction to staff to include preparation of the final budget documents.

Action Required:  Resolution  Motion  Review

---

Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 11-B

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive District Draft Five-Year Capital Improvement Projects Budget for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final CIP Budget Documents

Detailed Description: The Board is requested to receive the draft Five-Year Capital Improvement Projects (CIP) budget and provide direction to staff to include preparation of the final budget documents.

Each year, the District follows a budget development process that results in Board approval of the annual budget. Annual update of the District's CIP program follows the same schedule.

Staff is in the process of making substantial changes to the CIP budget. Each project has been reviewed based on estimated schedule of need. Those projects that are not scheduled for immediate need have been pushed forward. Additional scrutiny is being given to the annual CIP budget with an effort to balance individual yearly CIP spending across the five year schedule. The intent is to smooth capital spending across the multiple years, avoiding yearly spikes or dips.

Individual project sheets are being prepared for proposed 2014/2015 projects. Costs for projects which start in the five-year budget period but finish later are also shown in this draft budget.

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: None

Materials Included for Information/Consideration: Carollo Memo; and, Draft Five-Year CIP Budget Sheets.

Staff Recommendation: The Board of Directors receive the District draft Five Year CIP Budget overview sheets for the Marina and Ord Community Service Areas and provide direction to staff to include preparation of the final budget documents.

Action Required:     \_\_\_\_\_Resolution     \_\_\_\_\_Motion     \_\_\_X\_\_\_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: 12

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Accept the District's Draft Five-Year Strategic Plan
- B) Approve Draft Letter to Seaside County Sanitation District
- C) Adopt Resolution No. 2014-13 to Approve the Job Description, Salary Range, and Hiring of a Full-time Engineering Technician
- D) Adopt Resolution No. 2014-14 to Authorize the General Manager to Execute an Agreement with Surfline/Wavetrak Inc. for Installation of a Surf Monitoring Camera on District Facilities at 11 Reservation Road
- E) Receive and File the Check Register for the Month of February 2014
- F) Approve the Revised Draft Minutes of the Regular Board Meeting of February 3, 2014

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: 12-A

Meeting Date: March 17, 2014

Submitted By: Brent Ives

Presented By: Brent Ives

Reviewed By: Brian C. Lee

Agenda Title: Consider Accepting the Five-Year Strategic Plan for Marina Coast Water District

Detailed Description: In February 2013, the Board of Directors gave staff direction to amend a Professional Services Agreement (PSA) with BHI Management Consulting to facilitate a Board workshop and develop a five-year strategic plan.

In early March 2013, Mr. Brent Ives met with individual Board members and conducted a public meeting to gain insight and feedback for creating a strategic plan for the District. On April 13, 2013, the Board and department heads met with Mr. Ives to begin the goal setting and planning process. Periodically, staff and Mr. Ives communicated by phone and email to construct a draft strategic plan that was presented to the Board at a workshop on January 11, 2014.

Mr. Ives and staff have made the changes recommended by the Board and are ready to present the final draft for approval and implementation. Once accepted, the Interim General Manager/General Manager will work with Board leadership and the department heads to execute the plan according to the goals, objectives and timelines therein.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board held a public workshop on January 11, 2014 to complete the final draft of the five-year strategic plan for the District. On March 3, 2014, the Board tabled this item until a full Board was present for approval.

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Draft Strategic Plan (provided separately).

Staff Recommendation: Consider accepting the five-year strategic plan for the Marina Coast Water District.

Action Required:  Resolution  Motion  Review

---

Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 12-B

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve Draft Letter to Seaside County Sanitation District

Detailed Description: On March 10, 2014, the Board of Directors directed staff to draft a letter to the Seaside County Sanitation District regarding a meeting to discuss boundaries and annexation.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Copy of draft letter.

Staff Recommendation: Approve the Draft Letter to Seaside County Sanitation District.

Action Required:  Resolution  Motion  Review

---

Board Action

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

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

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

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 12-C

Meeting Date: March 17, 2014

Submitted By: Jean Premutati

Presented By: Jean Premutati

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2014-13 to Approve the Job Description, Salary Range, and Hiring of a Full-time Engineering Technician

Detailed Description: In early February, one of the District's Associate Engineers resigned to accept another position elsewhere. At the same time, another Associate Engineer went on a leave of absence which leaves the Capital Project Manager assuming a major portion of the department technical workload. With the permanent loss of one Associate Engineer and the temporary, but undetermined length of the other Associate's leave of absence, there is a significant gap between the Engineering section workload and available staff to perform these duties.

Specific areas that will require attention are: inspection of work under construction, receiving and filing documents related to CIP and developer projects, updating District electronic records (GIS and CAD), editing of District Standard Specification, Guidelines and contract documents. Rather than replace the vacant Associate Engineer position at the same level of duties and rate of pay, staff is examining ways for cost-saving and streamlining measures for the District by restructuring the organizational chart. Staff is looking to eliminate one full-time Associate Engineer and the Assistant Engineer positions from the Staff Allocation List and creating an Engineering Technician. Staff recommends filling this full-time, non-exempt Marina Coast Water District Employees Association (MCWDEA) position at a salary range within \$4,177-\$5,332 per month. This should result in a cost-savings of \$21,550 for the remainder of FY 2013/2014 and a savings of approximately \$31,551 for FY 2014/2015.

The Engineering Technician will be assigned to perform less technical, entry level engineering duties and free up the licensed professional engineers to conduct the more difficult and complex duties of the District including project management, planning, design, and review.

The Engineering Technician will report to the Deputy General Manager/District Engineer and funding will come from all cost centers.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

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

Funding Source/Recap: Engineering salary account line item.

Material Included for Information/Consideration: Resolution No. 2014-13; Engineering Technician Job Description, and Organizational Chart.

Staff Recommendation: The Board of Directors consider adopting Resolution No. 2014-13 to approve the job description, salary range, and hire of a full-time Engineering Technician.

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 \_\_\_\_\_

March 17, 2014

Resolution No. 2014-13  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving the Job Description, Salary Range and  
Hire of a Full-Time Engineering Technician

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on March 17, 2014 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the District Engineering department is currently short two licensed staff members. The Capital Project Manager is assuming a major portion of the technical assignments. Presently there is a gap between the Engineering section workload and available staff to perform these duties; and,

WHEREAS, specific areas that will require attention are inspection of work under construction, receiving and filing documents related to CIP and developer projects, updating District electronic records (GIS and CAD), editing of District Standard Specification, Guidelines and contract documents require attention; and,

WHEREAS, a review of the current department structure and duties has been conducted. Staff is looking for cost-saving and streamlining measures for the District by the elimination of one full-time Associate Engineer and the Assistant Engineer from the Staff Allocation List and hiring a full-time Engineering Technician. Staff is recommending filling this full-time, non-exempt member of the Marina Coast Employees Association within a salary range of \$4,178-\$5,332. This should result in a cost-savings of \$21,550 for the remainder of FY 2013/2014 and a savings of approximately \$31,551 for FY 2014/2015; and,

WHEREAS, the Engineering Technician is expected to perform less technical, entry level engineering duties and free up the licensed professional engineers to conduct the more difficult and complex duties of the District including project management, planning, design and review.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the job description, salary range, and hire of a full-time Engineering Technician.

PASSED AND ADOPTED on March 17, 2014 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, 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. 2014-13 adopted March 17, 2014.

---

Brian C. Lee, Secretary

## **ENGINEERING TECHNICIAN**

### **DEFINITION**

Under general supervision or direction, performs skilled and sub-professional office and field technical engineering work of widely varying difficulty; including routine drafting, preparation and/or review of engineering plans and specifications for a variety of projects, ensuring compliance with standards and District requirements; reviews improvement plans, coordinates facility planning and general plan amendments, ensures conformity with District standards and regulations; performs project management as assigned on District CIP projects; and performs other duties as required.

### **SUPERVISION RECEIVED AND EXERCISED**

General supervision is given by the Deputy General Manager/District Engineer. No direct supervision of staff is exercised.

### **CLASS CHARACTERISTICS**

This is the entry-level, non-registered class in the professional engineering series. Incumbents perform the less difficult and complex tasks in the field of civil engineering. As experience and proficiency are gained, assignments will become more technically diverse and difficult, while exercising increasing independence of judgment. Incumbents receive general supervision from the assigned supervisor and functional direction from a higher-level class within the series.

### **EXAMPLES OF DUTIES (Illustrative Only)**

- Prepares, revises and maintains a variety of maps, property maps, easements, right of ways, drawings and sketches;
- Prepares and revises a variety of graphic presentations, including visual displays for meetings, technical illustrations, signs, charts, graphs, pamphlets, and similar materials;
- Reads and interprets engineering contracts, plans, specifications, and survey notes;
- Calculates distances, angles, ties, areas, traverses, and enclosures;
- Makes field surveys to verify as-built discrepancies and to verify locations of existing facilities; assists in conducting, tabulating and analyzing various engineering surveys and studies;
- Uses and maintains a variety of drafting tools and equipment, including survey equipment, reproduction equipment, calculators, etc.; enters and retrieves data from computers and operates CAD and GIS equipment;
- Provides and obtains information as directed and delivers and picks up maps, drawings, records, and documents from other agencies;
- Compiles information required for assignments and consults with engineering staff to obtain necessary information;
- Updates and maintains engineering records and files of maps, drawings, notes and records, including project files, runs copies, and obtains supplies as necessary;



- Provides engineering support to construction inspectors; responds to inquiries and provides information to contractors, developers, other agencies and the public;
- Operates standard office equipment, including job-related computer hardware and software applications, facsimile equipment and multi-line telephones; may operate other department-specific equipment;
- Builds and maintains positive working relationships with co-workers, other District employees, and the public.

## **QUALIFICATIONS**

Knowledge of:

- Basic drafting principles, practices, and techniques; simple detailing practices and standard representations;
- Basic GIS principles, practices and techniques.
- Algebra, geometry, and solving mathematical problems related to drafting, basic surveying principles and equipment
- Basic principles and practices of civil engineering;
- Engineering practices with emphasis on water supply, treatment and distribution; and wastewater collection;
- Construction methods and standards, and read and interpret plans and specifications;
- Engineering mathematics and economics;
- Plan Check review procedures for new developments;
- Basic report preparation and technical letter writing;
- Modern office procedures, methods, and equipment including personal computers

Skill in:

- Interpreting, applying and explaining statutes, codes, regulations and ordinances;
- Preparing clear and concise reports, correspondence, policies, procedures and other written materials.
- Following oral and written directions with ability to work on projects alone or cooperatively in a group effort.
- Using tact, initiative, prudence and independent judgment within general policy, procedural and legal guidelines;
- Maintaining accurate records and files.
- Providing excellent customer service when interacting with the public, other agencies and co-workers.

Education:

Equivalent to graduation from the twelfth grade or its equivalent, including successful completion of coursework in mechanical drawing, algebra, geometry, and trigonometry.

Experience:

Two years of experience in engineering drafting or other technical civil engineering work or similar related experience. An Engineering degree or EIT may substitute for the two years' experience.

#### License

Must possess a valid California class C driver's license and provide proof of satisfactory driving record.

#### Physical Demands:

Must possess mobility to work in a standard office setting, to inspect District development and construction sites, to operate a motor vehicle and to visit various District and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups and over the telephone.

FLSA Status: Non-exempt eligible for overtime

Bargaining Unit: MCWD Employees Association

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 12-D

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-14 to Authorize the General Manager to Execute an Agreement with Surfline/Wavetrak Inc. for Installation of a Surf Monitoring Camera on District Facilities at 11 Reservation Road

Detailed Description: In early February 2014, the City of Marina approached the District inquiring if we would be interested in letting Surfline/Wavetrak Inc. install a camera and camera server computer on our facility at 11 Reservation Road. They are currently investigating locations for a camera to monitor current surf conditions along Marina State Beach, allowing beach-goers the opportunity to view current surf conditions over the internet prior to a beach visit.

Staff met with the City, reviewed the proposed contract and provided suggestions that staff would be willing to take to the Board in support of the contract. Legal counsel has reviewed the contract and the suggested revisions have been accepted by Surfline/Wavetrak Inc.

As the contract is currently proposed, for the City's efforts Surfline/Wavetrak Inc. will provide an ad banner on the City's website, a 30 second feed from the camera located on the City's website and a monthly retainer of \$200. For the District's efforts we will get a logo displayed prominently on the City's website next to the 30 second feed. The contract is for a three year duration.

Environmental Review Compliance: None.

Prior Committee or Board Action: None.

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

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

Funding Source/Recap: None.

Material Included for Information/Consideration: Resolution No. 2014-14; Draft Contract with Surfline/Wavetrak Inc.

Staff Recommendation: The Board of Directors consider adopting Resolution No. 2014-14 to authorize the General Manager to execute a contract with Surfline/Wavetrak Inc.



March 17, 2014

Resolution No. 2014-14  
Resolution of the Board of Directors  
Marina Coast Water District  
Authorizing the General Manager to Execute a Contract with Surfline/Wavetrak Inc.

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on March 17, 2014 at 211 Hillcrest Avenue, District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the District was asked by Surfline/Wavetrak Inc. and the City of Marina to host a webcam at the District facilities located at 11 Reservation Road; and,

WHEREAS, District staff met with the City and Surfline/Wavetrak Inc. to negotiate terms of the agreement; and,

WHEREAS, the Board has reviewed said agreement and finds the terms contained therein acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manger to execute a three year contract with Surfline/Wavetrak Inc., allowing placement of a camera and associated equipment on the facilities at 11 Reservation Road.

PASSED AND ADOPTED on March 17, 2014 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, 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. 2014-14 adopted March 17, 2014.

---

Brian C. Lee, Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 12-E

Meeting Date: March 17, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Agenda Title: Receive and File the Check Register for the Month of February 2014

Detailed Description: The Board of Directors is requested to receive and file the attached February 2014 check register for expenditures totaling \$1,057,613.29.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

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

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

Material Included for Information/Consideration: February 2014 Summary Check Register.

Staff Recommendation: The Board of Directors receive and file the February 2014 expenditures totaling \$1,057,613.29.

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: 12-F

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Revised Draft Minutes of the Regular Board Meeting of February 3, 2014

Detailed Description: The Board of Directors is requested to approve the revised draft minutes of February 3, 2014.

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: Revised draft minutes of February 3, 2014.

Staff Recommendation: The Board of Directors approve the revised draft minutes of the February 3, 2014 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: 13-A

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Approval of Proposition 218 Public Notice and Set Date, Time and Location for Public Hearing for Proposed Changes in Rates, Fees, and Charges for Marina and Ord Community Service Areas following Report from Special Legal Counsel

Detailed Description: The Board is requested to approve the Notice of Public Hearing (Prop 218 Notice) and to set the date, time and location for such public hearing to consider the proposed increases to the District's water and sewer rate structure, which applies in both the Marina and Ord Community service areas.

Last year the Board approved the Five-Year Water and Wastewater Financial Plan and Rate Study completed by Carollo Engineers. The Rate Study called for rate increases for FY 2013/2014 through FY 2017/2018 for both service areas.

Special Legal Counsel Patricia Quilizapa previously advised the Board that Prop 218 requires a public agency to hold one single protest process for all parcels upon which the agency will impose new rates, fees and charges. In other words, one Prop 218 notice and protest process should be held for the combined Marina and Ord Community service areas and not two separate processes as has been done in the past. District staff is recommending that the Board approve and authorize a new single Prop 218 process.

The process for water and wastewater rate changes requires that a Proposition 218 public notice be sent to all parcel owners connected to the District. The notice informs the owners of the proposed change in rates and provides the dates for a public hearing for the District to receive input from the rate payers and the opportunity to protest the rates before any change in rates is adopted. The public hearing can be held no sooner than 45 days after the notice has been mailed to all parcel owners connected to the District. The law does not require that the Prop 218 notice be sent to District customers who are not property owners. District staff is recommending that the Board authorize the inclusion of a bill stuffer (example provided) in the monthly bills to District customers.

Changes to water and wastewater Capacity Charges are not subject to Proposition 218 and are independent of this new Prop 218 notice and hearing.

Because this process is parcel based staff is recommending that the fiscal impact be apportioned to cost centers based on the number of parcels within each cost center (3,647 parcels in Central Marina and 569 parcels in the Ord Community).

Environmental Review Compliance: None required.

Prior Committee or Board Action: September 11, 2012, the Board adopted Resolution No. 2012-55 approving a professional services agreement with Carollo Engineers to prepare a five-year financial plan and rate study. On July 15, 2013, the Board received a presentation by Carollo Engineers on the preliminary findings of the rate study and financial plan, and provided direction to staff for further analysis. On August 5, 2013, Carollo Engineers presented additional rate scenarios to the Board per their request. On August 19, 2013, Carollo Engineers presented additional rate scenarios to the Board per their request and gave direction for the final draft of the study to be brought to the Board for approval on August 26, 2013. On August 26, 2013 the Board approved the draft rate study.

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: Publication and mailing of the Prop 218 Notice to be funded by all four District Operating Cost Centers – Marina Water (MW): 43.5%, Marina Sewer (MS): 43.5%, Ord Water (OW): 6.5%, Ord Sewer (OS): 6.5%

Material Included for Information/Consideration: Notice of Public Hearing (Prop 218 Notice); and, bill stuffer.

Staff Recommendation: Approve Notice of Public Hearing (Prop 218 Notice) and set date, time and location for Public Hearings for proposed changes in the District’s Rates, Fees, and Charges, which apply in both the Marina and Ord Community Service Areas.

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\_\_\_\_\_

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 13-B

Meeting Date: March 17, 2014

Submitted By: Brian True

Presented By: Brian C. Lee

Reviewed By: Brian C. Lee

Agenda Title: Provide Direction to MCWD's Interim General Manager Regarding the Water Conservation Commission's Recommendation to Engage with CSUMB to Develop Water Conservation Outreach Activities

Detailed Description: The Board is requested to provide direction to MCWD's Interim General Manager for any action required regarding a Water Conservation Commission (WCC) recommendation to the MCWD Board of Directors.

On December 5, 2013, the WCC passed a motion to recommend to the MCWD Board of Directors that MCWD pursue the possibility of entering into a relationship with CSUMB with the intent of developing Water Conservation-related outreach activities through the vehicles of their Service Learning and Cap Stone Project programs. The WCC's intent is to leverage Commissioner willingness and labor in conjunction with volunteer CSUMB student labor to provide outreach opportunities and activities with water conservation as the theme.

Since that time, MCWD staff has researched the method for developing such a relationship with CSUMB. To develop the relationship, MCWD and CSUMB would enter into a University-Agency Agreement for Placement of Students (Agreement). The Agreement template appears to include the ability to engage with both CSUMB's Service Learning and Cap Stone Project programs. The District's Management Services Administrator consulted with MCWD's insurance provider/risk management organization (the JPIA) regarding the Agreement and they indicated that the Agreement is feasible from their specific perspective.

District staff's evaluation of the Agreement's terms and conditions does not support a recommendation for further action. Plainly stated, MCWD staff recommends to the MCWD Board of Directors that no further action be taken regarding the WCC's recommendation on this topic at this moment in time. The basis for this recommendation is because of problematic provisions within the Agreement as specified below:

- 1) The Agreement term is too long – 5-years - which is not appropriate based on MCWD staff turn-over as well as the annual MCWD budgeting cycle that may or may not continue funding for certain programs.
- 2) Implementing the Agreement, while ostensibly harnessing “volunteer” labor resources without having to pay for labor, would still require MCWD to pay for Workers Compensation insurance for the volunteers; thus, the Agreement is not a “no-cost” proposition.
- 3) The Agreement stipulates that MCWD undertake expensive and time-consuming tasks (such as finger-printing and extensive background checks) to appropriately bring on-board the participants – tasks and requirements well beyond normal MCWD procedures.

- 4) The Agreement stipulates that MCWD would be required to provide participants with work-space and tools (computers being the main tool required) that MCWD simply does not have at this moment in time.
- 5) The Agreement stipulates that MCWD would be required to provide personnel resources for supervising, training, and administering the participants. The participants would have to be provided tasks, trained to perform those tasks, have weekly meetings with the supervisor and/or administrator, have their work product evaluated, and have their performance be evaluated on a regular basis using MCWD personnel resources. Further, MCWD personnel would be required to provide preparatory and feedback information to CSUMB about each of the participants.

While MCWD staffs' recommendation is negative for taking action at this moment in time, the MCWD Board could provide for the needed MCWD personnel resources to make the WCC-recommended engagement with CSUMB a feasible proposition. Staffs' estimate of the labor hours needed to well implement the Agreement as evaluated is in the range of 25-to-30—hours-per-week. Staff believes that a full-time staff position could be created that would fulfill the needs of an Agreement with CSUMB as well as other outreach and communications functions that are currently being covered by current staff members that are less perfectly suited for those tasks or have workloads beyond reasonable levels (for example, MCWD's most senior civil engineer and Capital Projects Manager coordinating the activities of the Water Conservation Commission). Allowing staff to obtain the required labor resources would certainly yield a more affirmative recommendation for action by staff.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On December 5, 2013, the WCC passed a motion to recommend to the MCWD Board of Directors that MCWD pursue the possibility of entering into a relationship with CSUMB with the intent of developing Water Conservation-related outreach activities through the vehicles of their Service Learning and Cap Stone Project programs.

Board Goals/Objectives: *Strategic Plan Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase the 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:     None

Material Included for Information/Consideration:     N/A

Staff Recommendation: District staff recommends taking no action on this WCC recommendation at this moment in time.

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: 13-C

Meeting Date: March 17, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Request for Variance from District Code Section 5.20.050 - Grease Trap, Grease Interceptor or Other Device Required

Detailed Description: Peet's Coffee Shop operates within the CSUMB main library. District staff is unable to locate any prior paperwork documenting that the District was made aware of Peet's operation. The District has no inspection records of the construction of Peet's facilities.

During routine inspections, the District observed that Peet's was operating without proper grease interception prior to discharging to the District's sewer system. Over the past few months District staff and CSUMB staff have worked together to ensure that proper grease interception was installed at Peet's.

Due to the structural nature of the building it will be difficult for CSUMB to install an underfloor grease interceptor to capture discharge to the floor drain. Additionally, location of the hand wash sink prevents it from being connected to a central grease interceptor. The hand-wash sink would require its own under-sink grease interceptor.

CSUMB has filed a variance request with the District requesting that the required grease trap be smaller than the 80 gallon capacity / 75 gallon flow rate required in District Code 5.20.050 - C and that one sink and one floor drain be allowed to bypass the required grease trap.

Staff has reviewed CSUMB's request and recommends approval of the variance allowing one sink and one floor drain be allowed to bypass the required grease trap providing CSUMB installs District approved signage as suggested in the variance request. Due to the structural design of the building staff finds that the strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted.

Staff does not recommend approval of the variance request regarding sizing of the grease trap. Under-counter grease traps of appropriate size are available. Staff does not find that the strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Financial Impact:  Yes  No

Funding Source/Recap: N/A

Material Included for Information/Consideration: CSUMB Variance Request; sketch of Peet's Coffee floor plan; and, Title 5 of the District Code.

Staff Recommendation: Staff recommends approval of the variance request allowing one sink and one floor drain be allowed to bypass the required grease trap conditioned on proper signage at the facility are installed. Staff recommends denying the variance request regarding sizing of the required grease trap.

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

---

Board Action

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

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

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

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