



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: 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, April 7, 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, April 3, 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 21, 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. Possible Action on the Special Legal Counsel Investigation Report

A. Consider Adoption of Resolution No. 2014-12 to Censure Director Peter Le
(Requested by the Board)

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

9. 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. Adopt Resolution No. 2014-15 to Approve the 2013-2014 District Investment Policy
(Requested by Staff)
- F. Approve the Draft MCWD 2013 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community
(Requested by Staff)
- G. Direct Board President Regarding Voting on the Mosquito and Disease Control Assessment Ballot by the Northern Salinas Valley Mosquito Abatement District
(Requested by Staff)
- H. Set a Public Hearing on April 21, 2014 for Ord Capacity Charges
(Requested by Staff)
- I. Receive and File the Check Register for the Month of February 2014
(Requested by Staff)
- J. Approve the Revised Draft Minutes of the Regular Board Meeting of February 3, 2014
(Requested by the Board)
- K. Approve the Draft Minutes of the Regular Board Meeting of March 3, 2014
(Requested by Staff)
- L. Approve the Draft Minutes of the Special Board Meeting of March 10, 2014
(Requested by Staff)

M. Approve the Draft Minutes of the Regular Board Meeting of March 17, 2014
(Requested by Staff)

N. Receive the Draft Notes of the Special Board Meeting of March 24, 2014
(Requested by Staff)

10. 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 First Reading of Ordinance No. 56 Approving New District Rates, Fees & Charges for Marina Water and Wastewater
(Requested by Staff)

Action: The Board of Directors will consider a First Reading of the Ordinance 56 approving new District rates, fees and charges for Marina water and wastewater. The Board of Directors will be asked to consider adopting Ordinance No. 56 on May 19, 2014 following a Prop. 218 process and public hearing.

B. Consider First Reading of Ordinance No. 57 Approving New District Capacity Charges for Central Marina
(Requested by Staff)

Action: The Board of Directors will consider a First Reading of Ordinance 57 approving new District capacity charges for Central Marina. The Board of Directors will be asked to consider adopting Ordinance No. 57 on May 5, 2014 following a public hearing.

C. 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.

D. Receive Audit Ad Hoc Recommendation and Provide Direction to Staff
(Requested by Director Shriner)

Action: The Board of Directors will receive Audit Ad Hoc recommendation and provide direction to staff.

E. Receive a Report on the Improvements to the SCADA System and a Plan of Action
(Requested by Director Le)

Action: The Board of Directors will receive a report on the improvements to the SCADA System.

- F. Receive a Report on the Status of the Salinas River Surface Water Application
(Requested by Director Le)

Action: The Board of Directors will receive a report on the status of the Salinas River Surface Water Application.

- G. President Moore will Provide a Verbal Status Update on General Manager Recruitment and the Board will Review and Consider Approval of the Recruitment Brochure
(Requested by Director Le)

Action: The Board of Directors will receive a report on the status of the General Manager Recruitment and consider approving the recruitment brochure.

12. 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

- 1. Draft Board Procedures Manual, Section 42, Payment of Bills
- 2. Quarterly Financial Statements for October 1, 2013 to December 31 2013
- 3. Notify Board Members of the ACWA/JPIA Training the Week of May 5, 2014 in Monterey
- 4. Email from David Chardavoyne Regarding PERC Proposal
- 5. Correspondence Received by Board or General Manager

H. Counsel's Report

- 1. Limitations of Public Records Request Act Regarding Private Email Accounts

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 |

13. Board Member Requests for Future Agenda Items

- A. Board Member Requests

14. Director's Comments

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

*Regular Meeting: Monday, April 21, 2014, 6:45 p.m.,
Marina Council Chambers
211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: April 7, 2014

Submitted By: Jeanine DeBacker
Reviewed By: Brian Lee

Presented By: Jeanine DeBacker

Agenda Title: Consider Adoption of Resolution No. 2014-12 to Censure Director Peter Le

Detailed Description: By this action, the Board will decide whether to proceed with censure of Director Peter Le for actions inconsistent with the Board's Policy Procedure Manual and California Government Code Section 54957.

At the January 6, 2014 meeting, Special Legal Counsel was directed to hire an investigator to investigate complaints against Director Peter Le.

On January 20, 2014, Anne Olsen was retained as the investigator. She was engaged to investigate allegations of inappropriate, unprofessional, and potentially harassing behavior and to act as a neutral fact-finder to conduct an independent fact investigation. Ms. Olsen began her investigation on January 21, 2014.

On March 3, 2014, Ms. Olsen presented the following findings to the Board:

1. Director Le violated the Board's policy and Government Code section 54957 at the December 2, 2013 board meeting.
2. Director Le violated the Board's policy and Government Code section 54957 at the December 16, 2013 board meeting.

Ms. Olsen was also asked to examine Director Le's information requests in advance of Board meetings; without more specific allegations, she was unable to conclude a violation had occurred. However, Ms. Olsen did suggest that Director Le and Interim General Manager Brian Lee work to "discuss how best the staff can meet Director Le's Request and for Director Le to learn how the staff operates and the limitations they have in meeting requests in the timeframe requested."

Finally, Ms. Olsen was asked to examine staff complaints that Director Le publicly made negative comments about staff that caused a downturn of staff morale. She found it "quite evident that staff do feel demoralized and are upset that none of the other board members have interceded." She noted that in the videos she reviewed, "several times Director Le would criticize staff and be dismissive of their comments. Board policies require that the directors be courteous, professional and respectful and Director Le should modify the tone of his statements in order to comply with Board policies."

Description of Proposed Action:

The proposed action is to determine if the other Board members wish to censure Director Le for his above described actions.

Censure is an official reprimand of a Board member by the Board, normally based on a violation of Board policy or other behavior considered inappropriate by the Board. The Board Procedures Manual provides that the Board may elect to publicly censure a Director for his conduct, as well as removing him from committees and positions for a limited period of time and/or limiting his ability to place items on the meeting agenda for a limited period of time. A majority vote is required to adopt a resolution or pass a motion for censure.

The Board has given Director Le adequate notice of the proposed action and an opportunity to respond. The Board should review this Transmittal and the proposed Resolution, memorandum from Special Legal Counsel dated January 29, 2014 and March 12, 2014, review the written report and presentation from Anne Olson, and decide whether the actions of Director Le support censure.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board has discussed this item on January 6, February 3, March 3, and March 17, 2014.

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

Financial Impact: Yes No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2014-12; Memorandum from Special Legal Counsel dated January 29, 2014, and March 12, 2014, and Investigator's Final Report dated February 25, 2014.

Staff Recommendation: None.

Action Required: Resolution Motion Review

Board Action

Resolution No Motion By Seconded By

Ayes Abstained

Noes Absent

Reagendized Date No Action Taken

April 7, 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 regular meeting duly called and held on April 7, 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, after the December 2, 2013 and December 16, 2013 Board meetings, District employees complained of harassing, inappropriate and unprofessional conduct by Director Le during open session portions of the meeting, in particular when speaking from the dais; and,

WHEREAS, the complaints were directed at Director Le’s public comments directed to and regarding the job performance of the Interim General Manager and staff, requests for substantial amounts of information from staff without providing sufficient time for response and publicly complaining during the meetings about staff’s alleged failure to provide the requested information; and,

WHEREAS, the complaints identified Director Le’s statement from the dais during the regular Board meeting on December 2, 2013 wherein he alleged that the Interim General Manager had allegedly interfered with the District’s 2013 audit process; and,

WHEREAS, the complaints identified Director Le’s statement from the dais during the regular Board meeting on December 2, 2013 wherein he stated that staff had allegedly interfered with Director Le’s role as a member of the Ad Hoc Audit Committee; and,

WHEREAS, the complaints identified Director Le’s statement from the dais during the regular Board meeting on December 16, 2013 wherein he alleged 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 alleged that Director Le’s statements during open session, from the dais listed above, were part of a pattern of conduct by the Director with regard to his public statements about the Interim General Manager and staff and these behaviors have continued to the present time despite the disclosure of the nature of staff’s complaints since at least December 2013; and,

WHEREAS, staff had complained of harassing, inappropriate and unprofessional conduct by Director Le resulting in staff morale being negatively impacted; and,

WHEREAS, on January 6, 2014, the Board was asked by Counsel DeBacker to address staff's complaints; 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 contracted with the Anne Frassetto Olsen, J.D. to conduct an independent investigation based upon the complaints of staff and the video recordings of the December 2, 2013 and December 16, 2013; 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 Manager'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 committees 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 April 7, 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 April 7, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9

Meeting Date: April 7, 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) Adopt Resolution No. 2014-15 to Approve the 2014-2015 District Investment Policy
- F) Approve the Draft MCWD 2013 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community
- G) Direct Board President Regarding Voting on the Mosquito and Disease Control Assessment Ballot by the Northern Salinas Valley Mosquito Abatement District
- H) Set a Public Hearing on April 21, 2014 for Ord Capacity Charges
- I) Receive and File the Check Register for the Month of February 2014
- J) Approve the Revised Draft Minutes of the Regular Board Meeting of February 3, 2014
- K) Approve the Draft Minutes of the Regular Board Meeting of March 3, 2014
- L) Approve the Draft Minutes of the Special Board Meeting of March 10, 2014
- M) Approve the Draft Minutes of the Regular Board Meeting of March 17, 2014
- N) Receive the Draft Notes of the Special Board Meeting of March 24, 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: 9-A

Meeting Date: April 7, 2014

Submitted By: Brent Ives

Presented By: Brian C. Lee

Agenda Title: Accept the District's Draft Five-Year Strategic Plan

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. On March 17, 2014, the Board again deferred this item.

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: 9-B

Meeting Date: April 7, 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: On March 17, 2014, the Board deferred this item.

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

Financial Impact: Yes No

Funding Source/Recap: 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: 9-C

Meeting Date: April 7, 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: On March 17, 2014, the Board deferred this item.

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 _____

April 7, 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 April 7, 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 have 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 April 7, 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 April 7, 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: 9-D

Meeting Date: April 7, 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: On March 17, 2014, the Board deferred this item.

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.

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 _____

April 7, 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 April 7, 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 April 7, 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 April 7, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: April 7, 2014

Prepared By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2014-15 to Approve the 2013-2014 District Investment Policy

Detailed Description: Staff is requesting the Board consider adoption of Resolution No. 2014-15 to approve the 2013-2014 District Investment Policy (Policy). The Policy is based on provisions of the Government Code governing the investment of local agency funds and deposits of public money and should be reviewed and adopted on an annual basis.

In past years, the Budget and Personnel Committee reviewed and recommended updates to the Policy where appropriate in adherence to the District's current Policy. Since the District does not have a Budget and Personnel Committee at present, the Policy is presented directly to the full Board.

Environmental Review Compliance: None.

Prior Committee or Board Action: November 8, 2011, Board adopted Resolution No. 2011-81 to approve the 2011-2012 District Investment Policy; October 26, 2012 Budget & Personnel Committee reviewed the Proposed 2012-2013 District Investment Policy for recommendation for Board approval at the November 13, 2012 Board meeting; November 13, 2012, Board adopted Resolution No. 2012-71 to approve the 2012-2013 District Investment Policy.

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

Financial Impact: ___ Yes ___ No

Funding Source/Recap: N/A

Material Included for Information/Consideration: Resolution No. 2014-15; Proposed 2013-2014 District Investment Policy

Staff Recommendation: The Board of Directors adopt Resolution No. 2014-15 to approve 2013-2014 District Investment Policy.

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

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

April 7, 2014

Resolution No. 2014-15
Resolution of the Board of Directors
Marina Coast Water District
Approving the 2013-2014 District Investment Policy

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on April 7, 2014 at 211 Hillcrest Avenue, Marina, California as follows:

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

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

WHEREAS, due to the District’s lack of a Budget and Personnel Committee, the 2013-2014 District Investment Policy is presented directly to the full the Board of Directors for review and approval.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2014-15 to approve the 2013-2014 District Investment Policy.

PASSED AND ADOPTED on April 7, 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. 2014-15 adopted April 7, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-F

Meeting Date: April 7, 2014

Submitted By: Thomas Barkhurst

Presented By: Brian C. Lee

Agenda Title: Approve the Draft MCWD 2013 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community

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

The 2013 CCR summarizes the results of detected contaminants in District's supply wells and distribution systems conducted in calendar year 2013, or for some constituents, the most recent sampling year. The District's water system did not have any violation in 2013 and is in compliance with State and Federal drinking water regulations.

New for the 2013 CCR are the following:

- Presence in the Primary Drink Water Standards Disinfection Byproducts & Disinfectant Residual of Haloacetic Acids and the New 90th Percentile Level of Copper from the 2013 Lead and Copper Testing in the Distribution System Water Quality Table as well as mention of the vulnerability of Well 34 from the source water assessment completed February 2014.

A list of contaminants tested for but not detected will be posted in the District's website at www.mcwd.org/2013ccr-ND.html.

The 2013 CCR will be mailed together with each customer's water bill starting in May 2013. A separate mailing will be conducted for residents in the Ord military housing. Copies will be distributed to Alliance Residential, businesses, apartment managers, and school administrators for further distribution to customers who do not receive a water bill directly from the District. Staff will coordinate with the US Army-BRAC and CSUMB's News and Public Information Officer to establish the website links for access by the military and university communities. The CCR will be available at the District's website at www.mcwd.org.

Prior Committee or Board Action: The Water Conservation Commission reviewed this item on April 3, 2014.

Material Included for Information/Consideration: Draft 2013 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community.

Staff Recommendation: The Board of Directors approve the draft MCWD 2013 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community.

Action Requested: ___Resolution ___X___Motion ___Review

Board Action

Resolution No. _____ Motion By _____ Seconded By _____

Ayes: _____ Abstained: _____

Noes: _____ Absent: _____

Reagendized: _____ Date: _____ No Action Taken: _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-G

Meeting Date: April 7, 2014

Submitted By: Brial C. Lee

Presented By: Brian C. Lee

Agenda Title: Direct the Interim General Manager Regarding Voting on the Mosquito and Disease Control Assessment Ballot by the Northern Salinas Valley Mosquito Abatement District

Detailed Description: The Board of Directors is requested provide the Interim General Manager direction regarding voting on the Mosquito and Disease Control Assessment Ballot by the Northern Salinas Valley Mosquito Abatement District.

The Northern Salinas Valley Mosquito Abatement District provides mosquito and disease control within the Northern Monterey County area. Their current parcel fee is expiring in 2016 and this assessment would replace that source of funding. The Ballots must be received by the Northern Salinas Valley Mosquito Abatement District prior to the end of the public hearing on April 29, 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 No

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

Material Included for Information/Consideration: Assessment Ballots.

Staff Recommendation: The Board of Directors authorize the General Manager to vote “yes” regarding voting on the Mosquito and Disease Control Assessment Ballot.

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-H

Meeting Date: April 7, 2013

Submitted By: Kelly Cadiente
Reviewed By: Brian C. Lee

Presented By: Kelly Cadiente

Agenda Title: Set a Public Hearing on April 21, 2014 for Ord Capacity Charges

Detailed Description: The Board is requested to set a Public Hearing date for the Ord Capacity Charges on April 21, 2014.

Changes to capacity charges do not require a Proposition 218 process. While the District has routinely approved Central Marina capacity charge changes through adoption of an Ordinance, the Ord Community capacity charges have been approved through Resolution.

Following the Public Hearing, the Board will consider adoption of a Resolution to approve the new capacity charges subject to FORA Board approval.

Prior Committee or Board Action: None.

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

Financial Impact: _____Yes No

Funding Source/Recap: N/A.

Material Included for Information/Consideration: None.

Staff Recommendation: Set a Public Hearing for Ord Capacity Charges on April 21, 2014.

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: 9-I

Meeting Date: April 7, 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: 9-J

Meeting Date: April 7, 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: 9-K

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

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

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

Staff Recommendation: The Board of Directors approve the draft minutes of the March 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: 9-L

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of March 10, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of March 10, 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: Draft minutes of March 10, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the March 10, 2014 special Board meeting.

Action Required: ___Resolution ___X___Motion ___Review

Board Action

___Resolution No___ Motion By___ Seconded By___

Ayes___ Abstained___

Noes___ Absent___

Reagendized___ Date___ No Action Taken___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-M

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of March 17, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of March 17, 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: Draft minutes of March 17, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the March 17, 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: 9-N

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive the Draft Notes of the Special Board Meeting of March 24, 2014

Detailed Description: The Board of Directors is requested to receive the draft notes of March 24, 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: Draft notes of March 24, 2014.

Staff Recommendation: The Board of Directors receive the draft notes of the March 24, 2014 special Board meeting.

Action Required: ___Resolution ___X___Motion ___Review

Board Action

___Resolution No___ Motion By___ Seconded By___

Ayes___ Abstained___

Noes___ Absent___

Reagendized___ Date___ No Action Taken___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-A

Meeting Date: April 7, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Consider First Reading of Ordinance No. 56 Approving New District Rates, Fees and Charges for Water and Wastewater for the Central Marina Service Area

Detailed Description: The Board is requested to conduct the first reading of Ordinance No. 56 as the next step to approving new water and wastewater rates, fees and charges for the Central Marina service area. Under the ordinance process for codifying rates fees and charges for Central Marina, the District is required to conduct first and second readings of the proposed ordinance, set a public hearing date on the proposed change in rates, fees and charges, and publish the ordinance in the local newspaper.

On August 26, 2013, the Board approved the Five-Year Water and Wastewater Financial Plan and Rate Study. The approved Rate Study called for rate increases for FYs 2013/2014, 2014/2015, 2015/2016, 2016/2017 and 2017/2018 of the Central Marina and Ord Community service areas. The Board also approved a Prop 218 notification of proposed rate increases (mailed March 28, 2014) and set the public hearing date for Monday, May 19, 2014.

Prior Committee or Board Action: On August 26, 2013, the Board adopted Resolution No. 2013-53 approving the 2013 Five-Year Water and Wastewater Financial Plan and Rate Study. On March 17, 2014, the Board approved a Prop 218 notification of proposed rate increases for Central Marina (mailed March 28, 2014) and set the Prop 218 public hearing date for Monday, May 19, 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: N/A.

Material Included for Information/Consideration: Ordinance No. 56.

Staff Recommendation: Conduct first reading of Ordinance No. 56 approving new water and wastewater rates, fees and charges for the Central Marina service area.

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: 10-B

Meeting Date: April 7, 2013

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Consider First Reading of Ordinance No. 57 Approving New District Capacity Charges for the Central Marina Service Area

Detailed Description: The Board is requested to conduct the first reading of Ordinance No. 57 as the next step to approving new capacity charges for the Central Marina service area. Under the ordinance process for codifying rates fees and charges for Central Marina, the District is required to conduct first and second readings of the proposed ordinance, set a public hearing date on the proposed change in rates, fees and charges, and publish the ordinance in the local newspaper.

On August 26, 2013, the Board approved the Five-Year Water and Wastewater Financial Plan and Rate Study. The approved Rate Study called for capacity charge adjustments of the Central Marina and Ord Community service areas. The Board also set the public hearing date for Monday, May 5, 2014.

Prior Committee or Board Action: On August 26, 2013, the Board adopted Resolution No. 2013-53 approving the 2013 Five-Year Water and Wastewater Financial Plan and Rate Study. On March 17, 2014, the Board set the public hearing date for Monday, May 5, 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: N/A.

Material Included for Information/Consideration: Ordinance No. 57.

Staff Recommendation: Conduct first reading of Ordinance No. 57 approving new capacity charges for the Central Marina service area.

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: 10-C

Meeting Date: April 7, 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. On March 17, 2014, the Board deferred this item.

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: Yes No

Funding Source/Recap: None

Material Included for Information/Consideration: None.

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

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: 10-D

Meeting Date: April 7, 2014

Submitted By: Jan Shriner

Presented By: Jan Shriner

Agenda Title: Receive Audit Ad Hoc Recommendation and Provide Direction to Staff

Detailed Description: On September 16, 2013, President Moore appointed Vice President Shriner and Director Le to an Audit Ad Hoc Committee to meet with the auditors and bring back a recommendation to the Board regarding an additional scope of work. On March 17, 2014, Director Le removed himself from the Audit Ad Hoc Committee.

Vice President Shriner provided the following recommendations:

1. MCWD has met mandated audit standards and received recognition for the CAFR award certification for several years. The audit ad hoc committee would like the Board to consider hiring a consultant to survey current methods that other agencies and municipalities are using to meet mandated audit standards. Survey results to be provided to the Board for consideration to establish mcwd policies for future budget presentation and format for audits. This work to be completed before audit of 2014.
2. Recommend conducting a training for Board and Public for best management practices and variety of methods used to allocate expenses of water and wastewater services to multiple cost centers. Board to evaluate current practices of the District and set policies for evaluation and justification of allocation on a regular and ongoing schedule. Work to be completed before budget process of FY 2015/2016.
3. Recommend forensic audit specifically to determine total expenses, including both hard and soft costs, for Recycled Water Project to date. Examine distribution of expenses to the cost centers. Provide manner in which the Board authorized inter fund transfers, bond issuance, and other means of covering expenses. Provide listing of all expenses that have been repaid to the source cost center. Work to be completed prior to 2016.
4. Recommend forensic audit specifically to determine total expenses, including both hard and soft costs, for the Regional Desalination Project to date. Provide an itemized list of expenditures. Examine distribution of expenses to the cost centers. Provide manner in which the Board authorized inter fund transfers, bond issuance, and other means of covering expenses. Provide listing of all expenses that have been repaid to the source cost center. Work to be completed prior to 2016.
5. Request staff to provide estimates of requirements of staff time and consultant expense of each of the above recommendations for the consideration by the Board during a meeting in May or June 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On September 16, 2013, President Moore appointed Vice President Shriner and Director Le to an Audit Ad Hoc Committee to meet with the auditors and bring back a recommendation to the Board regarding an additional scope of work. On March 17, 2014, Director Le removed himself from the Audit Ad Hoc Committee.

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

Financial Impact: _____Yes X No

Funding Source/Recap: N/A

Material Included for Information/Consideration: None.

Staff Recommendation: None.

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: 10-E

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive a Report on the Improvements to the SCADA System and a Plan of Action

Detailed Description: Staff received a request from Director Le to add this item to the agenda.

Staff will provide a verbal report at the meeting.

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: None.

Staff Recommendation: This was a Board requested item.

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: 10-F

Meeting Date: April 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive a Report on the Status of the Salinas River Surface Water Application

Detailed Description: Staff received a request from Director Le to add this item to the agenda.

Staff will provide a verbal report at the meeting.

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 notes of March 24, 2014.

Staff Recommendation: The Board of Directors receive the draft notes of the March 24, 2014 special Board meeting.

Action Required: ___Resolution ___X___Motion ___Review

Board Action

___Resolution No___ Motion By___ Seconded By___

Ayes___ Abstained___

Noes___ Absent___

Reagendized___ Date___ No Action Taken___

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-G

Meeting Date: April 7, 2014

Submitted By: Thomas Moore

Presented By: Thomas Moore

Agenda Title: Update on General Manager Recruitment and the Board will Review and Consider Approval of the Recruitment Brochure

Detailed Description: President Moore will provide an update on the General Manager recruitment and a draft recruitment brochure will be provided for approval.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On February 18, 2014, the Board approved a contract with Neher and Associates to conduct a recruitment for the General Manager position. On March 3, 2014, the Board appointed President Moore as the direct contact for Neher and Associates.

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 brochure to be handed out at the meeting.

Staff Recommendation: This is a Board requested item.

Action Required: ___ Resolution ___X___ Motion ___ Review

Board Action

___ Resolution No ___ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____