



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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

DIRECTORS

THOMAS P. MOORE
President

WILLIAM Y. LEE
Vice President

HOWARD GUSTAFSON
JAN SHRINER
PETER LE

Agenda

Special Board Meeting, Board of Directors Marina Coast Water District

11 Reservation Road, Marina, California

Friday, June 27, 2014, **2:00 p.m.** PST

(Please note the earlier start time and the different location)

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.

Our Mission: We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. 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.*

5. Action Items *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to four minutes.*

- A. Consider Adoption of Resolution No. 2014-24 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election Set for November 4, 2014

Action: The Board of Directors will consider ordering an election, requesting County Elections to conduct the election, and requesting consolidation of the election set for November 4, 2014.

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 Tuesday, June 24, 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 should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5910. The next regular meeting of the Board of Directors is scheduled for July 7, 2014.

- B. Consider Adoption of Resolution No. 2014-25 Authorizing Intra-District Loan from the Central Marina Water Cost Center to the Ord Community Water Cost Center and Setting the Terms Thereof

Action: The Board of Directors will consider approving an internal loan from the Central Marina cost center to the Ord cost center.

- C. Consider Adoption of Resolution No. 2014-26 to Approve the Marina Coast Water District Budget for FY 2014-2015

Action: The Board of Directors will consider approving the FY 2014-2015 budget.

- D. Consider Adoption of Resolution No. 2014-27 to Approve the District Five-Year Capital Improvement Projects Budget

Action: The Board of Directors will consider approving the District five-year Capital Improvement Projects budget for the Central Marina and Ord Community service areas.

- E. Consider Adoption of Resolution No. 2014-29 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Hamstra-Appleton, LLC for their Veterans Administration-Department of Defense Health Care Center Development in Marina, CA

Action: The Board of Directors will consider approve an agreement with Hamstra-Appleton, LLC, for their Veterans Administration-Department of Defense for their Health Care Center development.

6. Director's Comments

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

*Regular Meeting: Monday, July 7, 2014, 6:00 p.m.,
Marina Council Chambers
211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-A

Meeting Date: June 27, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Adopt Resolution No. 2014-24 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election Set for November 4, 2014

Detailed Description: Pursuant to Section 10002 et seq. of the Elections Code, the Governing Body of the District must call the election to be held on November 4, 2014 for the purpose of electing successors to the terms of office which will expire in 2014. The Board must adopt a resolution calling for the election no later than July 2, 2014. The District has staggered terms and therefore must meet this requirement every two years.

Following the statute of previous years, the District will limit the Candidate's Statement to 200 words or less and the candidate is responsible for paying the cost of publishing the Candidate's Statement of Qualifications in the Voter's Information Pamphlet at the time of filing his/her statement.

The terms of Mr. William Y. Lee, Mr. Howard Gustafson, and Ms. Janet Shriner will expire this November 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

Financial Impact: Yes No

Funding Source/Recap: The approximate cost is \$36,000 to \$40,000, which depends on the number of registered voters in the District's jurisdiction and how many pamphlets are printed and mailed. This cost will be allocated to both Marina cost centers; 01-Marina Water and 02-Marina Sewer.

Material Included for Information/Consideration: Resolution No. 2014-24; Correspondence from Monterey County Election Department; and, Election Calendar.

Staff Recommendation: The Board of Directors adopt Resolution No. 2014-24 ordering an election, requesting County Elections to conduct the election, and requesting consolidation of the election set for November 4, 2014. The Board is also asked to limit the Candidate's Statement to

June 27, 2014

Resolution No. 2014-24
Resolution of the Board of Directors
Marina Coast Water District
Resolution Ordering An Election, Requesting County Elections to Conduct the Election,
and Requesting Consolidation of the Election Set for November 4, 2014

RESOLVED by the Board of Directors ("Board"), of the Marina Coast Water District ("District"), at a special meeting duly called and held on June 27, 2014, at 11 Reservation Road, Marina, California as follows:

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election; and,

WHEREAS, the resolution of the governing body of the city or district shall specify the services requested; and,

WHEREAS, pursuant to Elections Code Section 10002, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and,

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and,

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and,

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision of the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections office, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation; and,

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and,

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 4, 2014.

NOW THEREFORE BE IT RESOLVED AND ORDERED, that the Board of Directors of the Marina Coast Water District hereby orders an election be called and consolidated with any and all elections also called to be held on November 4, 2014 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Marina Coast Water District requests the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10401 and 10403; and,

BE IT FURTHER RESOLVED AND ORDERED, that said governing body hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting the election and per Elections Code Section 10002 agrees to pay for said services; and,

BE IT FURTHER RESOLVED AND ORDERED, that the Monterey County Elections Department conduct the election for the following offices on the November 4, 2014 ballot:

<u>Seats Open</u>	<u>Office</u>	<u>Term</u>	<u>District</u>
William Y. Lee	Director	4 Year	Marina Coast Water District
Howard Gustafson	Director	4 Year	Marina Coast Water District
Janet Shriner	Director	4 Year	Marina Coast Water District

BE IT FURTHER RESOLVED, per Election Code Section 13307 the District will limit the Candidate's Statement to 200 words or less; and, the candidates shall submit payment to the Elections Department upon submission of the candidate's statement.

PASSED AND ADOPTED on June 27, 2014, by the Board of Directors of the Marina Coast Water District by the following 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. 2014-24 adopted June 27, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-B

Meeting Date: June 27, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-25 Authorizing Intra-District Loan from the Central Marina Water Cost Center to the Ord Community Water Cost Center and Setting the Terms Thereof

Detailed Description: The Board is requested to consider adoption of Resolution No. 2014-25 authorizing an intra-district loan from the Central Marina Water Cost Center to the Ord Community Water Cost Center. This loan would be set up similar to the existing intra-district loan between the Central Marina Cost Centers and the Ord Community Cost Centers.

After the District acquired the Ord Community water and wastewater systems in October 2001, which necessitated the District to fund certain capital projects and the funding for which came from an intra-District internal loan from the Central Marina cost centers to the Ord Community cost centers at 6% interest, on April 28, 2004, the Board approved the terms for the loan repayment which formally recognized the principal and accrued interest of the loan which will be paid off in full during FY 2014-2015. The following are the terms and conditions:

- The total principal and interest for the loan would be amortized over ten (10) years.
- The interest rate will be set at 1/4% below the interest for the Ord Community loan by the City National Bank, adjusted quarterly; however, at no time would the interest rate be less than the then Local Agency Investment Fund interest rate.
- The loan would be callable anytime by the District.

The Ord Community Water Cost Center is in need of a new loan up to and including \$1,000,000 to pay for the Ord Community Water Cost Center's share of Fiscal Year 2014-2015 operating costs. The proposed terms and conditions are as follows:

- The total principal and interest for the loan would be amortized over ten (10) years beginning July 1, 2015, and the principal and interest shall be paid quarterly.
- The interest rate to be charged on the outstanding loan balance shall be a variable rate based on the 5-year US Treasury rate (1.70% as of June 12, 2014); however, at no time shall the interest rate be less than the then Local Agency Investment Fund interest rate.
- The interest rate shall be adjusted quarterly based upon the applicable interest rate in effect at the end of each quarter.
- The loan would not be callable, but there shall be no prepayment penalty.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On April 28, 2004, the Board passed a motion to approve the terms of for a \$1,182,177 loan by Central Marina Cost Centers to Ord Community Cost Centers.

On March 17, 2014, the Board held a Budget Workshop for FY 2014-2015 in which the proposed draft budget included an Intra-District loan from Central Marina Water Cost Center to Ord Community Water Cost Center.

Board Goals: *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: Loan Source – Central Marina Operating Reserves; Repayment Source – Ord Community Water Cost Center

Material Included for Information/Consideration: Resolution No. 2014-25, and 10-year amortization schedule.

Recommendation: Consider adoption of Resolution No. 2014-25 authorizing an intra-district loan from the Central Marina Water Cost Center to the Ord Community Water Cost Center.

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 _____

June 27, 2014

Resolution No. 2014-25
Resolution of the Board of Directors
Marina Coast Water District
Authorizing Intra-District Loan from the Central Marina Water Cost Center to
the Ord Community Water Cost Center and Setting the Terms Thereof

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on June 27, 2014 at 11 Reservation Road, Marina, California as follows:

WHEREAS, after the District acquired the Ord Community water and wastewater systems in October 2001, which necessitated the District to fund certain capital projects and the funding for which came from an intra-District internal loan from the Central Marina cost centers to the Ord Community cost centers at 6% interest; and,

WHEREAS, by motion passed at the April 28, 2004 regular Board meeting, the Directors approved the terms for a \$1,182,177 loan by the Central Marina cost centers to the Ord Community cost centers, which action formally recognized the principal and accrued interest on that loan on the following terms and conditions:

- The total principal and interest for the loan would be amortized over ten (10) years.
- The interest rate will be set at 1/4% below the interest for the Ord Community loan by the City National Bank, adjusted quarterly; however, at no time would the interest rate be less than the then Local Agency Investment Fund interest rate.
- The loan would be callable anytime by the District. and,

WHEREAS, the 2004 loan is projected to be paid off in full during the 2014-2015 Fiscal Year; and,

WHEREAS, the Ord Community water cost center is in need of a new loan of up and including \$1,000,000 to pay for the Ord Community water cost center’s share of Fiscal Year 2014-2015 operating costs; and,

WHEREAS, the Directors are willing to provide this intra-District loan on specified terms and condition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Marina Coast Water District as follows:

1. The Directors make the following findings:
 - a. Even with the new Ord Community water rates for Fiscal Year 2014-2015, it is projected that those rates and charges will be insufficient to cover the Ord Community water cost center’s share of operating costs and that up to and including \$1,000,000 in additional funds will be needed.

b. The Central Marina water cost center has budgeted reserves, which may be used in part to loan up to and including \$1,000,000 to the Ord Community water cost center.

c. It is in the best interests of the overall District for the Directors to authorize this intra-District loan.

d. Fair and reasonable terms of such an intra-District loan are as follows:

(1) The loan shall be amortized over a 10-year period ending on June 30, 2025 and the principal and interest shall be paid quarterly.

(2) The interest rate to be charged on the outstanding loan balance shall be a variable rate based on the 5-year US Treasury rate; however, at no time shall the interest rate be less than the then Local Agency Investment Fund interest rate.

(3) The interest rate shall be adjusted quarterly based upon the applicable interest rate in effect at the end of each quarter.

(4) The loan shall not be callable, but there shall be no prepayment penalty.

2. The General Manager, the Deputy General Manager/District Engineer, and Director of Administrative Services shall be, and each of them hereby is, authorized to give or take all approvals, consents, directions, instructions, notices, orders, requests, and other actions permitted, required or authorized by this Resolution, and to take any such action that such authorized representative, with the advice of District's Legal Counsel, may deem necessary or desirable to further the purposes of this Resolution.

3. All actions heretofore taken by the officers, employees and agents of the District in connection with the matters authorized by this Resolution are hereby ratified, approved and confirmed.

4. This Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED on June 27, 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. 2014-25 adopted June 27, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-C

Meeting Date: June 27, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-26 to Approve the Marina Coast Water District Budget for FY 2014-2015

Detailed Description: The Board is requested to receive and adopt the Marina Coast Water District (District) FY 2014-2015 budget.

Each year, the District follows a budget development process that results in the MCWD Board approval of the annual budget by June 30. On March 3, 2014, the draft budget and budget schedule were presented to the Board at its regular board meeting. On March 17, 2014, the Board held its budget workshop and discussed the budget in detail. On April 21, 2014 and June 2, 2014, the Board received revised drafts of the FY 2014-2015 budget and provided staff direction on preparation of the final document.

During the budget workshop on March 17, 2014, the Board approved the Proposition 218 rate increase process and scheduled a public hearing on May 19, 2014. On April 21, 2014, the Board conducted a public hearing on the Ord Community capacity charges. On May 5, 2014, the Board adopted Ordinance 57 approving the Central Marina capacity charges and Resolution No. 2014-18 approving the Ord Community capacity charges. Capacity charges are not subject to Proposition 218. The Board conducted the public hearing on May 19, 2014 and declared the results of the Proposition 218 protest count for the proposed rate increases. In addition, the Board adopted Ordinance 56 to approve the noticed rate increases for Central Marina and Resolution No. 2014-20 to approve the noticed rate increases for the Ord Community. Under the 1998 Facilities Agreement between the Fort Ord Reuse Authority (FORA) and the District, the District is required to submit by March 30 of each year the District's Ord Community annual budget to the FORA Water/Wastewater Oversight Committee (WWOC). Pursuant to Section 7.2.1 of the Agreement, the FORA Board is required to review the District's Ord Community annual budget or provide written response to the District listing each item of dispute, stating detailed reasons for the dispute, and specifying a resolution acceptable to FORA and, if the FORA Board does not respond to the District within three months from the date of the submittal to the WWOC, then the budget is deemed adopted by FORA.

On February 27, 2014, the Ord Community budget was submitted to the WWOC. District staff met with the WWOC several times over the course of March 2014 through May 2014 to discuss and answer questions about the Ord Community budget. The Ord Community budget was then presented to the FORA Board on May 30, 2014, for adoption; however, the FORA Board voted to table approval of the budget. In accordance with Section 7.2.1, the FY 2014-2015 Ord Community budget is deemed adopted by FORA.

The new Ord Community water and sewer rates will go into effect on July 1, 2014, and the new Ord Community water and sewer capacity charges will go into effect on July 5, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board received the Draft FY 2014-2015 Budget and Budget Schedule on March 3, 2014. On March 17, 2014, the Board conducted a budget workshop and discussed the budget in detail. On April 21, 2014 and May 19, 2014, the Board provided additional direction to staff in preparation of the final document.

Board Goals/Objectives: *Strategic Plan Mission Statement – We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Financial Impact: Yes No

Funding Source/Recap: All Accounts

Material Included for Information/Consideration: Resolution No. 2014-26; and, FY 2014-2015 Draft Budget Document (provided separately).

Staff Recommendation: The Board of Directors adopt Resolution No. 2014-26 approving the Marina Coast Water District Budget for FY 2014-2015.

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 _____

June 27, 2014

Resolution No. 2014 - 26
Resolution of the Board of Directors
Marina Coast Water District
Adopting the Marina Coast Water District Budget for FY 2014-2015

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on June 27, 2014 at 11 Reservation Road, Marina, California as follows:

WHEREAS, staff prepared and presented the draft FY 2014-2015 Budget that includes projected revenues, expenditures and capital improvement projects for the six cost centers of the District’s Water and Wastewater systems, including the area within the jurisdiction of the Fort Ord Reuse Authority (“FORA”) and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, the District Board reviewed the proposed FY 2014-2015 Budget on March 17, 2014, April 21, 2014 and June 2, 2014; and,

WHEREAS, rates, fees, charges and capacity charges for Central Marina service area were adopted by the Board in Ordinances 56 and 57; and,

WHEREAS, rates, fees, charges and capacity charges for the Ord Community service area were adopted by the Board in Resolution No. 2014-18 and 2014-20; and,

WHEREAS, on February 27, 2014, the District submitted the Ord Community budget to the Water/Wastewater Oversight Committee (WWOC) of the Fort Ord Reuse Authority (FORA) in accordance with the 1998 MCWD-FORA Water/Wastewater Facilities Agreement; and,

WHEREAS, since more than three months have elapsed since submittal of the budget to the WWOC without the FORA Board taking any action as specified in Section 7.2.1 of the 1998 Agreement, the budget is deemed adopted by FORA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Marina Coast Water District does hereby approve and adopt the FY 2014-2015 Budget of the Marina Coast Water District.

PASSED AND ADOPTED on June 27, 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. 2014-26 adopted June 27, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-D

Meeting Date: June 27, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-27 to Approve the District Five-year Capital Improvement Projects Budget

Detailed Description: The Board is requested to approve the draft Five-Year Capital Improvement Projects (CIP) budget.

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. Each project has been reviewed based on estimated schedule of need. Those projects that are not scheduled for immediate need have been pushed farther into the future.

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 included in the proposed 2014/2015 projects. Costs for projects which start in the five-year budget period but finish later are also shown in this draft planning budget.

The District's practice for allocation of costs for Capital Improvement Projects (CIP) that are not specific to a cost center is the expense ratio method. This method allocates these shared expenses in the fiscal year the project is initiated based on the previous fiscal year's actual expenses (CIP costs that are not dedicated to a specific cost center are shared among four primary cost centers – Marina Water, Marina Sewer, Ord Community Water, and Ord Community Sewer).

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board reviewed the draft CIP Budget on March 17, 2014 and June 2, 2014.

Board Goals/Objectives: 2014 *Strategic Plan*, Goal No. 2.1 - *Improvements and expansion plans for existing water delivery and wastewater collection systems.*

Financial Impact: _____ Yes ___X___ No

Funding Source/Recap: None

Materials Included for Information/Consideration: Resolution No. 2014-27; and, Draft Five-Year CIP Budget.

June 27, 2014

Resolution No. 2014-27
Resolution of the Board of Directors
Marina Coast Water District
Approving the District Five-Year Capital Improvement Projects Budget
for the Central Marina and Ord Community Service Areas

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on June 27, 2013 at 11 Reservation Road, Marina, California as follows:

WHEREAS, Marina Coast Water District ("District") staff prepared and presented the draft FY 2014-2015 Budget which includes projected revenues, expenditures and capital improvement projects for Central Marina and the Ord Community Water, Recycled Water and Wastewater systems, including the area within the jurisdiction of Fort Ord Reuse Authority (“FORA”) and the area remaining within the jurisdiction of the U.S. Army; and,

WHEREAS, the Five-Year Capital Improvement Projects Budget for the Central Marina and Ord Community provides for funds necessary to meet operating and capital expenses for sound operation and provision of the water, recycled water and wastewater facilities and to enable the District to provide continued water, recycled water and sewer services within the existing service areas in Central Marina and in the Ord Community; and,

WHEREAS, the Water/Wastewater Oversight Committee of FORA and the District's full Board have reviewed the proposed Five-Year Capital Improvement Projects Budget; and,

WHEREAS, after a public meeting and based upon staff’s recommendations, the Board has determined that the Five-Year Capital Improvement Projects Budget should be adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Marina Coast Water District does hereby approve and adopt the Five-Year Capital Improvement Projects budget for Central Marina and the Ord Community.

PASSED AND ADOPTED on June 27, 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. 2014-27 adopted June 27, 2014.

Brian C. Lee, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-E

Meeting Date: June 27, 2014

Submitted By: Brian True

Presented By: Brian True

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-29 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Hamstra-Appleton, LLC for their Veterans Administration-Department of Defense Health Care Center Development in Marina, CA

Detailed Description: The Board of Directors is requested to approve a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement (hereafter referred to as the Infrastructure Agreement) between MCWD and Hamstra-Appleton, LLC (Hamstra) for their Veterans Administration - Department of Defense Health Care Center (VA-DoD HCC) development project. The attached draft Infrastructure Agreement is based upon the most recent board-approved (June 2013) format used for other development groups within the MCWD service area.

The VA-DoD HCC is located in the City of Marina portion of the Ord Community. The parcel is within the Dunes on Monterey Bay master development and is a conglomeration of approximately 8-parcels totaling 14.31-acres that were originally master-planned as a slightly larger parcel with a different prospective land-use. The project will consist of an approximately 148,000-square-foot health care center structure and a large parking lot.

The new infrastructure being transferred to the District will be constructed within public right-of-ways and private easements in MCWD's favor provided by Hamstra. The easement language mutually agreed upon and executed by Hamstra is attached; the intent is to record the easements in advance of completing the design because the adequacy of the design will hinge on a protective (to MCWD rate-payers) easement understanding. The specific infrastructure proposed for transfer, once completed, includes PVC potable water pipelines, a short segment of PVC recycled water pipelines, PVC gravity sewer pipelines, and associated appurtenances (e.g. sewer man-holes, potable water valves, fire-hydrants, etc).

A Water Supply Assessment/Written Verification of Supply was prepared by MCWD for the master development in January, 2005. The entitlement of water allocation for this project's parcel by the City of Marina is consistent with that Water Supply Assessment/Written Verification of Supply in the sense that the water allocated for this specific project is less than that estimated for the same area of land in the Water Supply Assessment. The amount of water allocated by the City of Marina to the VA-DoD HCC project is 30.0-AFY; the amount of water allocated to the same area of land in the 2005 Water Supply Assessment is 43.1-AFY.

Environmental Review Compliance: This Infrastructure Agreement is not a "project" under the California Environmental Quality Act (CEQA). This work is categorically exempt under CEQA.

Prior Committee or Board Action: None

Board Goals/Objectives: *Five-year Strategic Plan, Strategic Element 2.0 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District Standards.*

Financial Impact: _____ Yes X No

Funding Source/Recap: There is no financial impact.

Material Included for Information/Consideration: Resolution No. 2014-29; draft Infrastructure Agreement; and, Hamstra-executed easement document.

Staff Recommendation: The Board of Directors adopt Resolution No. 2014-29 approving the Water, Sewer and Recycled Water Infrastructure Agreement between MCWD and Hamstra-Appleton, LLC for their VA-DoD Health Care Center Development.

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 _____

June 27, 2014

Resolution No. 2014 - 29
Resolution of the Board of Directors
Marina Coast Water District
Approving a Water, Sewer, and Recycled Water Infrastructure Agreement
Between Marina Coast Water District and Hamstra-Appleton, LLC for the
Veterans Administration-Department of Defense Health Care Center Development in Marina, CA

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on June 27, 2014 at 11 Reservation Road, Marina, California as follows:

WHEREAS, Hamstra-Appleton, LLC (“Developer”) has coordinated with the District on their VA-DoD Health Care Center development project, consisting of the new construction and related infrastructure, within the City of Marina portion of the Ord Community; and,

WHEREAS, the City of Marina has allocated a portion of its former Fort Ord water supply allocation for the Developer’s use in developing the VA-DoD Health Care Center development project, and,

WHEREAS, the District and the Developer are working cooperatively regarding proposed water, recycled water and sewer system improvements; and,

WHEREAS, the District and the Developer have agreed upon the proposed Water, Sewer and Recycled Water Infrastructure Agreement and desire to enter into same.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or the Deputy General Manager/District Engineer to sign the Water, Sewer and Recycled Water Infrastructure Agreement between MCWD and Hamstra-Appleton, LLC for their VA-DoD Health Care Center development project and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on June 27, 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. 2014-29 adopted June 27, 2014.

Brian C. Lee, Secretary