



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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

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## DIRECTORS

THOMAS P. MOORE  
*President*

WILLIAM Y. LEE  
*Vice President*

HOWARD GUSTAFSON  
JAN SHRINER  
PETER LE

## Agenda

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

211 Hillcrest Avenue, Marina, California

Monday, July 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

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 Wednesday, July 2, 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 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 & A.13-05-017 Settlement Agreement

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)

- B. 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
- C. Pursuant to Government Code 54957  
Public Employee Performance Evaluation  
Title: General Manager  
(Requested by the Board)
- D. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Recycled Water Pipeline  
Negotiating parties: Tom Moore and Peter Le  
Under Negotiation: Price and Terms
- E. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Recycled Water  
Negotiating parties: To Be Determined under item 9-D  
Under Negotiation: Price and Terms

**5. Possible Action on Closed Session Items** *The Board will report out on any action taken during Closed Session, and may take additional action in Open Session, as appropriate. Any closed session items not completed will be discussed at the end of the meeting.*

## **6. Pledge of Allegiance**

**7. Oral Communications** *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

**8. Consent Calendar** *Board approval can be taken with a single motion and vote. A Board member or member of the public may request that any item be pulled from the Consent Calendar for separate consideration at this meeting or a subsequent meeting. The public may address the Board on any Consent Calendar item. Please limit your comment to four minutes.*

A. Receive and File the Check Registrar for the Month of May 2014

B. Approve the Draft Minutes of the Regular Board Meeting of May 19, 2014

- C. Approve the Draft Minutes of the Regular Board Meeting of June 2, 2014
- D. Receive the Draft Notes of the Regular Board Meeting of June 16, 2014
- E. Receive the Draft Notes of the Adjourned Regular Board Meeting of June 19, 2014
- F. Approve the Draft Minutes of the Special Board Meeting of June 27, 2014

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

- A. Consider Adoption of Resolution No. 2014-28 to Accept the Infrastructure Improvements Installed Under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and University Village Associates for the University Village Apartments Development

*Action: The Board of Directors will consider accepting the infrastructure improvements installed under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and University Village Associates for the University Village Apartments Development.*

- B. Consider Adoption of Resolution No. 2014-xx to Declare the Fort Ord Station Veterinary Hospital Barracks as Surplus District Real Property, Designating District Real Property Negotiator(s), and Specifying Conditions of Sale

*Action: The Board of Directors will consider declaring the Fort Ord Station Veterinary Hospital Barracks as surplus District real property, designating District real property negotiator(s), and specifying conditions of sale.*

- C. Consider Designating a Real Property Negotiator(s) to Discuss the Armstrong Ranch and Possible Terms and Conditions with RAMCO Enterprises, LP

*Action: The Board of Directors will consider designating a real property negotiator(s) for the District owned Armstrong Ranch property.*

- D. Consider Designating a Real Property Negotiator(s) to Discuss the CSIP Expansion and the Memorandum of Understanding with the Monterey Regional Water Pollution Control Agency

*Action: The Board of Directors will consider designating a real property negotiator(s) for the CSIP expansion and the Memorandum of Understanding with the Monterey Regional Water Pollution Control Agency.*

- E. Receive a Verbal Update on the General Manager Recruitment Process and Provide Guidance

*Action: The Board of Directors will receive an update on the General Manager recruitment process and provide guidance.*

- F. Receive Staff Analysis on an In-House Information Technology Position and Provide Direction to Staff

*Action: The Board of Directors will receive cost analysis on an in-house Information Technology position and provide direction to staff.*

- G. Review and Discuss Developer Projects Summary Sheet

*Action: The Board of Directors will review and discuss the developer projects summary sheet.*

- H. Discussion and Possible Action on Acquiring the Chular Wastewater Services

*Action: The Board of Directors will discuss whether to consider acquiring the Chular wastewater services.*

- I. Consider Providing Direction Regarding the Election to Region 5, Seat C of the 2014 California Special Districts Association Board

*Action: The Board of Directors will consider providing direction regarding the election to Region 5, Seat C of the 2014 California Special Districts Association Board.*

**10. Informational Items** *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to four minutes.*

- A. General Manager's Report

- 1. Correspondence Received by Board or General Manager

- B. Counsel's Report

- C. Committee and Board Liaison Reports

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

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

**12. Director's Comments**

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

*Regular Meeting:*                      *Monday, July 21, 2014, 6:00 p.m.,  
Marina Council Chambers  
211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of May 2014
- B) Approve the Draft Minutes of the Regular Board Meeting of May 19, 2014
- C) Approve the Draft Minutes of the Regular Board Meeting of June 2, 1014
- D) Receive the Draft Notes of the Regular Board Meeting of June 16, 1014
- E) Receive the Draft Notes of the Adjourned Regular Board Meeting of June 19, 1014
- F) Approve the Draft Minutes of the Special Board Meeting of June 27, 2014

Environmental Review Compliance: None required.

Prior Committee or Board Action: See individual transmittals.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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: See individual transmittals.

Funding Source/Recap: See individual transmittals.

Material Included for Information/Consideration: See individual transmittals.

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

Action Required: \_\_\_\_\_Resolution      X   Motion    \_\_\_\_\_Review  
(Roll call vote is required.)

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Board Action

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

Ayes\_\_\_\_\_    Abstained\_\_\_\_\_

Noes\_\_\_\_\_    Absent\_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: July 7, 2014

Submitted By: Kelly Cadiente

Presented By: Kelly Cadiente

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

Detailed Description: The Board of Directors is requested to receive and file the attached May 2014 check register for expenditures totaling \$3,370,921.78.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Objective No. 3 – Our objective is to manage public funds to assure financial stability, prudent rate management and demonstrate responsible stewardship. Our fiscal strategy is to forecast, control and optimize income and expenditures in an open and transparent manner. We will efficiently use our financial resources to assure availability to fund current and future demands.*

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: May 2014 Summary Check Register.

Staff Recommendation: The Board of Directors receive and file the May 2014 expenditures totaling \$3,370,921.78.

Action Required:     \_\_\_ Resolution     \_\_\_ X Motion     \_\_\_ Review

(Roll call vote is required.)

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-B

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of May 19, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of May 19, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of May 19, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the May 19, 2014 regular Board meeting.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-C

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of June 2, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of June 2, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of June 2, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 2, 2014 regular Board meeting.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-D

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive the Draft Notes of the Regular Board Meeting of June 16, 2014

Detailed Description: The Board of Directors is requested to receive the draft notes of June 16, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft notes of June 16, 2014.

Staff Recommendation: The Board of Directors receive the draft notes of the June 16, 2014 regular Board meeting.

Action Required:     \_\_\_ Resolution     \_\_\_ **X** \_\_\_ Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-E

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Receive the Draft Notes of the Adjourned Regular Board Meeting of June 19, 2014

Detailed Description: The Board of Directors is requested to receive the draft notes of June 19, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft notes of June 19, 2014.

Staff Recommendation: The Board of Directors receive the draft notes of the June 19, 2014 adjourned regular Board meeting.

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

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Board Action

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

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

Noes\_\_\_\_\_     Absent\_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-F

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Special Board Meeting of June 27, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of June 27, 2014.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_X\_\_\_No

Funding Source/Recap: None.

Material Included for Information/Consideration: Draft minutes of June 27, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the June 27, 2014 special Board meeting.

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

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Board Action

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

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

Noes\_\_\_\_\_     Absent\_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: July 7, 2012

Submitted By: Brian True

Presented By: Brian True

Reviewed By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-28 to Accept the Infrastructure Improvements Installed Under a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and University Village Associates for the University Village Apartments Development

Detailed Description: The Board of Directors is requested to accept from University Village Associates (UV Associates) the off-site and on-site improvements they have installed on behalf of MCWD. UV Associates is constructing the University Village Apartments development project in the City of Marina portion of the Ord Community. The project is within the Dunes on Monterey Bay master development. The District entered into a Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement (Infrastructure Agreement) with UV Associates by adopting Resolution No. 2012-68 on October 26, 2012.

The on-site improvements made by UV Associates for which acceptance of ownership is requested includes potable water pipelines and appurtenances, a recycled water pipeline in the 9<sup>th</sup> Street alignment, and sanitary sewer pipelines and appurtenances. A more detailed break-down of the infrastructure to be owned by MCWD may be found in the attached Bill of Sale document and Plan Sheet C11. The total value of the infrastructure to be transferred to MCWD for ownership sums to approximately \$380,335.

The construction work was largely inspected and witnessed by Harris & Associates; their letter report – that includes their recommendation that it is appropriate for MCWD to own the installed infrastructure – is attached.

Under the terms of the Infrastructure Agreement, MCWD requires the following items prior to final acceptance:

- Final inspection and walk-through by MCWD to verify completion of all punch-list items
- Completed easements for all pipelines outside of public rights-of-way or easements
- Conveyance of the property to MCWD by means of a bill-of-sale
- Submission of As-Built drawings for the work
- Submission of a One-Year Warranty Bond

The developer and MCWD conducted a punch-list walk-through and the associated corrective work was completed on June 9, 2014 (see attachment to Harris & Associates letter report). The easements appropriate for this transfer-of-ownership transaction were recorded in Monterey County on June 3, 2014; all currently proposed MCWD assets are located within the public right-of-way or easements in MCWD's favor (see attached easement document and associated plat maps). A Bill of Sale signed by the developer and awaiting this Board-action for Acceptance is

attached as noted above. As-built drawings for the improvements described above were received and accepted as of June 10, 2014 (see attached Plan Sheet C11 – that sheet is part of the Record Drawing set). A One-Year Warranty Bond, for approximately 20% of the infrastructure value enumerated above, is attached. In accord with the Infrastructure Agreement, this list fulfills the District’s requirements and conditions for accepting ownership of the installed infrastructure.

Environmental Review Compliance: None required.

Prior Committee or Board Action: Board Resolution No. 2012-68 on October 26, 2012, approved the Infrastructure Agreement for the University Village Apartments development project.

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      No

Funding Source/Recap: There is no direct cost to MCWD in these transactions; however, a near-term future increase in operational and maintenance costs may be reasonably anticipated within the Ord Water and Ord Sewer cost centers as well as in increase in the Recycled Water cost center in the more distant future.

Material Included for Information/Consideration: Resolution No. 2014-28; Harris & Associates letter report; Punch-list; recorded Easement document; Bill of Sale signed by UV Associates; Record Drawing sheet C11; Warranty Bond.

Staff Recommendation: The Board adopt Resolution No. 2014-28 accepting the infrastructure improvements installed under the Construction and Transfer of Water, Sewer, and Recycled Water Infrastructure Agreement between the Marina Coast Water District and University Village Associates.

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

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Board Action

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

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

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

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

July 7, 2014

Resolution No. 2014-28  
Resolution of the Board of Directors  
Marina Coast Water District  
Accepting the Infrastructure Improvements  
Installed Under a Construction and Transfer of  
Water, Sewer, and Recycled Water Infrastructure Agreement  
Between Marina Coast Water District and University Village Associates

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

WHEREAS, University Village Associates, a California limited partnership (“Developer”), has constructed water, sewer and recycled water infrastructure for their University Village Apartments development project in the Ord Community portion of the City of Marina; and,

WHEREAS, the Developer entered into a Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement with the District on October 26, 2012; and,

WHEREAS, construction of the water, sewer and recycled water infrastructure is now complete for the University Village Apartments development project and the Developer has satisfied all of the close-out conditions required in the Infrastructure Agreement; and,

WHEREAS, the Developer requests that MCWD take ownership of the installed infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby accept the transfer of ownership of the Water, Sewer, and Recycled Water Infrastructure for the University Village Apartments development project and directs the General Manager and/or Deputy General Manager/District Engineer to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on July 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 \_\_\_\_\_

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Thomas P. Moore, President

ATTEST:

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Brian C. Lee, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-28 adopted July 7, 2014.

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Brian C. Lee, Secretary



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-30 to Declare the Fort Ord Stations Veterinary Hospital Barracks as Surplus District Real Property, Designating District Negotiator(s), and Specifying Conditions for Sale

Detailed Description: The Board has directed staff to look into possibly selling the Barracks property to a person or entity who would agree to restore the property and preserve its historic significance. The normal method is to first declare that the property is not, and will not be, needed by the District for District purposes and is surplus real property of the District.

Government Code Sections 54220-54232 require local public agencies, prior to selling or leasing surplus unimproved real property, to first give notice and an opportunity to purchase or lease to public entities responsible for low- and moderate-income housing, county or city park or recreation departments, and school districts before the local public agency can offer up the property to the public. However, the Barracks property is improved and contains a building of historic significance. Staff will be working with the Monterey County Historic Preservation Officer to determine any special requirements that would apply to the Barracks property.

The Board has stated that it would like to see the Barracks property restored and preserved. In California, a sale could be conditioned by adding a covenant running with the land to the grant deed or by using a grant deed conveying a fee simple subject to a condition subsequent. In both cases, there would need to be an entity who would be willing and have the financial means to enforce the conditions in the event of a breach. The State Office of Historic Preservation reports that it is difficult finding such an enforcement entity and the State OHP itself does not have that authority. The Board will need to determine if it is willing to be the enforcing entity.

The Board will also need to designate its real property negotiator or negotiators for any potential sale of the property to a public or private entity or person.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: 2014 *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     \_\_\_ X No

Funding Source/Recap: None.

Material Included for Information/Consideration: Resolution No. 2014-30.

Staff Recommendation:

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

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Board Action

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

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

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

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

July 7, 2014

Resolution No. 2014-30  
Resolution of the Board of Directors  
Marina Coast Water District  
Resolution and Notice of Intent to Sell District Real Property,  
Commonly Known as the Fort Ord Station Veterinary Hospital Barracks,  
to Designate Real Property Negotiator(s), and to Set Sale Conditions

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

WHEREAS, the District is now the owner of the parcel of land at 2872 Fifth Avenue, Marina, Monterey County, California, upon which the former Fort Ord Station Veterinary Hospital Barracks (the land and the building collectively referred to herein as the “Barracks”); and,

WHEREAS, the Barracks is currently being considered by the Office of Historic Preservation for listing on the National Register of Historic Places and the Board of Directors voted on June 17, 2013, to support the nomination of the Barracks for that listing; and,

WHEREAS, the District had previously did a study to determine the cost to restore the Barracks so that it might meet modern building codes and standards and the study found that a significant amount of funds would be required to restore the Barracks.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The Board finds and determines that the Barracks is not and will not be needed by the District for district purposes and hereby declares the Barracks to be surplus real property of the District.
2. The District is willing to convey the Barracks to a credit-worthy person or entity who is willing to restore the Barracks and maintain its historical significance; however, the District understands that it will need to comply with any applicable law governing the disposal of surplus real property by a local governmental agency.
3. The Board finds that sale of the Barracks will not have any significant environmental impacts because of the conditions the Board is placing on the sale to preserve the historical status of the property.
4. The Board hereby designates \_\_\_\_\_ as the District’s real property negotiator to negotiate with any statutorily required public agency and then with any interested private persons or private entities for the disposal of the Barracks.
5. The Board hereby finds that the disposal of the Barracks shall be subject to the following condition: The transferee must agree (a) to restore the Barracks in accordance with applicable building codes and standards for historic buildings, (b) to use best efforts to preserve the historic significance of the building, (c) to use the Barracks for at least a minimum number of years to provide services to military veterans and active duty personnel,

and their families, and (d) to make (a), (b), and (c) a condition subsequent in the grant deed, or comparable legal instrument, conveying the property to the transferee. This means that if the transferee fails to comply with the condition subsequent, the Barracks shall revert back to the District without any compensation to the transferee for any and all work performed to meet that condition subsequent. Because of the above condition, the Board is willing the sell the Barracks at a very low price to be determined by the Board.

6. The Board hereby authorizes and directs the Interim General Manager to take the following actions in connection with this Board's intent to dispose of the Barracks:

a. Mail copies of this resolution to any public agencies for which notice is required to be given by law.

b. Prepare and file a Notice of Exemption for the proposed sale with the Monterey County Clerk.

c. Publicize the availability of the Barracks for sale and the conditions of the sale.

d. To take all actions, with the advice of District's Legal Counsel, the Interim General Manager may deem necessary or desirable to further the purposes of this Resolution.

PASSED AND ADOPTED on July 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. 2014-30 adopted July 7, 2014.

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-C

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Designating a Real Property Negotiator(s) to Discuss the Armstrong Ranch and Possible Terms and Conditions with RAMCO Enterprises, LP

Detailed Description: Staff has been in discussions with RAMCO Enterprises, LP regarding the possible lease of a portion of the District's Armstrong Ranch property. Discussions have advanced to the point where a Board designated property negotiator(s) is desired. The Board of Directors is requested to consider designating real property negotiator(s) to discuss the Armstrong Ranch and possible terms and conditions with RAMCO Enterprises, LP.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ X No

Funding Source/Recap: None.

Material Included for Information/Consideration: None.

Staff Recommendation: This is a Board requested item.

Action Required:     \_\_\_ Resolution     \_\_\_ X Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-D

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Designating a Real Property Negotiator(s) to Discuss the CSIP Expansion and the Memorandum of Understanding with the Monterey Regional Water Pollution Control Agency

Detailed Description: Staff has been attending discussions regarding water sources for the Monterey Regional Water Pollution Control Agency's Ground Water Recharge project. Based on the current status of discussions the Board of Directors is requested to consider designating real property negotiator(s) to continue discussions regarding the CSIP Expansion and the Memorandum of Understanding with the Monterey Regional Water Pollution Control Agency.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ X No

Funding Source/Recap: None.

Material Included for Information/Consideration: None.

Staff Recommendation: This is a Board requested item.

Action Required:     \_\_\_ Resolution     \_\_\_ X Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-E

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Thomas Moore

Agenda Title: Receive a Verbal Update on the General Manager Recruitment Process and Provide Guidance

Detailed Description: The Board is requested to receive a verbal update from President Moore and provide guidance.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: *2014 Strategic Plan, Mission Statement – We Provide 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     \_\_\_ **X** No

Funding Source/Recap: None

Materials Included for Information/Consideration: None.

Staff Recommendation: Provide Board guidance.

Action Required:     \_\_\_ Resolution     \_\_\_ Motion     \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-F

Meeting Date: July 7, 2014

Submitted By: Jean Premutati  
Reviewed By: Brian C. Lee

Presented By: Jean Premutati

Agenda Title: Receive Staff Analysis on an In-House Information Technology Position and Provide Direction to Staff

Detailed Description: At the May 19, 2014 Board meeting, staff asked the Board to consider a resolution approving a professional services agreement (PSA) with Monterey Bay Technologies (MBT) for Information Technology (IT) support services to the District for FY 2014-2015.

It was reported that the monthly retainer increased from \$3,600.00 for FY2013-2014 to \$3,825 for FY2014-2015. After Board discussion staff committed to conducting a salary survey to determine if, in the future, hiring a full-time IT employee would be cost effective.

A salary survey was completed using districts similar to our demographics and needs. Attached is a summary of the districts that were contacted. Some Districts use consultants only. Others use full-time employees. Still others utilize the talents and skills of internal employees along with outside consultants. Currently, Marina Coast relies on the talents and skills of internal employees along with outside consultants. Based on the results of the study staff recommends maintaining the current solution and not hiring another employee. The cost of hiring a full time IT employee (with benefits) is cost prohibitive and will have a financial impact on the budget that is not commensurate with improved gains in efficiency or expediency.

Staff recommends that prior to the next budge year (2015-2016) the District conduct a request for proposal (RFP) process for IT services.

Environmental Review Compliance: None required.

Prior Committee or Board Action: On December 13, 2011, the Board adopted Resolution No. 2011-89 awarding a contract to MBT to provide IT services to the District; on June 17, 2012, the Board received an update on the District's IT service provider and adopted Resolution No. 2012-35 awarding a contract to MBT to provide IT support services to the District for FY 2012-2013; on June 17, 2013, the Board adopted Resolution No. 2013-37 awarding a contract to MBT to provide IT support services to the District for FY 2013-2014. On May 19, 2014 the Board adopted Resolution No. 2014-21 to provide IT support services to the District for FY 2014-2015.

Board Goals/Objectives: *2014 Strategic Plan Mission Statement – To 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:      X   Yes           No



Funding Source/Recap: Funded through FY 2014/2015 Operating Budget of the Central Marina and Ord Community cost centers – (MW: 29%, MS: 8%, OW: 52%, OS: 11%)

Material Included for Information/Consideration: Salary survey summary.

Staff Recommendation: Do not consider approving the hire of a full-time IT position as it will have a significant financial impact on the budget; however staff recommends two alternative options: 1) Adopt a Resolution to continue services with MBT to provide IT support services to the District; 2) Distribute RFP's seeking bids for IT support services to the District.

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

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Board Action

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

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

Noes \_\_\_\_\_    Absent \_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-G

Meeting Date: July 7, 2014

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

Presented By: Kelly Cadiente

Agenda Title: Review and Discuss Developer Projects Summary Sheet

Detailed Description: The Board is requested to review and discuss the Developer Projects Summary Sheet.

Per Board request, staff has provided a summary of developer projects of the District indicating the deposits received by the District for each developer project, the expenses incurred by the District for each project, and the deposit available or balance due for each project.

Staff will be available to answer Board members questions regarding the summary sheet.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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     \_\_\_ X \_\_\_ No

Funding Source/Recap: None

Materials Included for Information/Consideration: Developer Projects Summary Sheet.

Staff Recommendation: None.

Action Required:     \_\_\_ Resolution     \_\_\_ Motion     \_\_\_ X \_\_\_ Review

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Board Action

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

Ayes \_\_\_     Abstained \_\_\_

Noes \_\_\_     Absent \_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-H

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee  
Requested By: Vice President Lee

Presented By: Brian C. Lee

Agenda Title: Discussion and Possible Action on Acquiring the Chular Wastewater Services

Detailed Description: The Board is requested to discuss and provide direction to staff regarding the District's possible interest in purchasing the Chualar sewer system. The County has indicated that a sale of the Chualar sewer system may occur. Purchasing the system may provide the District with an additional source of recycled water. At this time staff is seeking Board input.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

Board Goals/Objectives: 2014 *Strategic Plan Element 1.4 - Establish a prioritized list of available alternative water sources.*

Financial Impact:     Yes     No

Funding Source/Recap: *Unknown*

Materials Included for Information/Consideration: 05/10/2014 Monterey Herald Newspaper Article, 05/28/2014 Monterey Herald Newspaper Article, 2013-2014 Monterey County Civil Grand Jury Interim Final Report No. 1 Chualar Sewer System; and, Monterey County REI.

Staff Recommendation: Provide Board input and direction to staff.

Action Required:     Resolution     Motion     Review

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Board Action

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

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

Noes \_\_\_\_\_    Absent \_\_\_\_\_

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

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9-I

Meeting Date: July 7, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Providing Direction Regarding the Election to Region 5, Seat C of the 2014 California Special Districts Association Board

Detailed Description: The Board of Directors is requested to provide direction to the Board President which candidate to vote for Seat C in Region 5.

On June 10, 2014, California Special Districts Association (CSDA) sent an election ballot asking for Members to vote for one candidate to fill the Region 5, Seat C for a four-year term before August 1, 2014.

There are three candidates for the Region 5, Seat C: Mr. Vince Ferrante, Moss Landing Harbor District (incumbent); Ms. Elaine Magner, Pleasant Valley Recreation & Park District; and, Ms. Kathryn Slater-Carter, Montara Water & Sanitary District.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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

Financial Impact:  Yes  No

Funding Source/Recap: None.

Material Included for Information/Consideration: CSDA letter and Election Ballot with candidate statements.

Staff Recommendation: The Board of Directors to provide direction to the Board President on which candidate to vote for the CSDA Region 5, Seat C.

Action Required:  Resolution  Motion  Review

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Board Action

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

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

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

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