



# 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, October 6, 2014, 6:00 p.m. PST

*This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:00 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. 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

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

This agenda is subject to revision and may be amended prior to the scheduled meeting. A final agenda will be posted at City of Marina Council Chambers (211 Hillcrest Avenue, Marina) and the District office (11 Reservation Road, Marina) no less than 72 hours prior to the meeting. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, October 2, 2014. Copies will also be available at the Board meeting. 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.

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 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Initiation of Litigation Pursuant to Subdivision (c) of 54956.9  
Three Potential Cases
- D. Pursuant to Government Code 54957  
Public Employee Appointment  
Title: General Manager
- E. Pursuant to Government Code 54957  
Public Employee Evaluation  
Title: Interim General Manager
- F. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Recycled Water Pipeline, Recycled Water  
Negotiating parties: Tom Moore and Peter Le  
Under Negotiation: Price and Terms
- G. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Armstrong Ranch  
Negotiating parties: Tom Moore and Peter Le  
Under Negotiation: Price and Terms
- H. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Sewer Infrastructure  
Negotiating parties: Tom Moore and Peter Le  
Under Negotiation: Price and Terms

#### **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.*

- D. Consider Adoption of Resolution No. 2014-xx to Approve an Employment Contract for the General Manager Position
- E. Consider Interim General Manager Evaluation including Compensation Review

- F. Consider Adoption of Resolution No. 2014-xx to Approve a Memorandum of Understanding Regarding Source Water and Water Recycling

## 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. Presentations

- A. Consider Adoption of Resolution No. 2014-36 in Recognition of Mr. Dan Amadeo, Public Member, for his Service on the Water Conservation Commission

**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. Approve the Draft Minutes of the Regular Board Meeting of September 15, 2014

**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. Discussion and Possible Action on the Private Fire Service Fees

*Action: Several members of the public requested that the Board of Directors discuss the private fire service fees that were implemented as part of the Proposition 218 process and budget adoption.*

- B. Discussion and Possible Action on Attorney Evaluations

*Action: The Board of Directors will hold discussion and possible action on attorney evaluations.*

- C. Consider Adoption of Resolution No. 2014-39 to Adopt an Updated Water Shortage Contingency Plan, and Resolution No. 2014-34 to Declare Water Conservation Stage 3 as required by the State Water Resource Control Board's Emergency Mandatory Water Conservation Regulations

*Action: The Board of Directors will consider adopting an updated Water Shortage Contingency Plan; and, declaring Water Conservation Stage 3 as required by the State Water Resources Control Board's Emergency Mandatory Water Conservation Regulations.*

- D. Consider Adoption of Resolution No. 2014-40 to Approve Recommended Revisions to the Board Procedures Manual

*Action: The Board of Directors will consider adopting the Board Procedures Manual with the recommended revisions.*

- E. Consider Adoption of Resolution No. 2014-31 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

*Action: The Board of Directors will consider approving a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District regarding the In-School Water Conservation Education Program.*

**11. 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

1. District Legal Counsel  
a. Legal Opinion on the California American Water Wheeling Agreement

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 |

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

**13. Director's Comments**

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

*Regular Meeting: Monday, October 20, 2014, 6:00 p.m.,  
Marina Council Chambers  
211 Hillcrest Avenue, Marina*

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: October 6, 2014

Submitted By: Brian True

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-36 in Recognition of Community Member, Mr. Dan Amadeo, for his Dedicated Service to the Marina Coast Water District as a Member on the Water Conservation Commission

Detailed Description: The Board of Directors is asked to consider adopting a resolution that recognizes Mr. Dan Amadeo for his service on the Water Conservation Commission.

Mr. Amadeo was appointed as a public member to the Water Conservation Commission in January 2010. As a member of the Commission he provided input on water conservation activities, practices and programs. During his tenure on the Water Conservation Commission, Mr. Amadeo provided invaluable insights and guidance.

Mr. Amadeo's dedication and commitment to public service has been recognized by his fellow Commission members and all those who have come into contact with him. For his unselfish dedication and commitment, the District wishes to recognize Mr. Dan Amadeo for his service, and wishes him well in the future.

Environmental Review Compliance: None required.

Prior Committee or Board Action: None.

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:  Yes  No

Funding Source/Recap: None

Material Included for Information/Consideration: Resolution No. 2014-36.

Staff Recommendation: The Board of Directors consider adopting a resolution recognizing Mr. Dan Amadeo for his service on the Water Conservation Commission.

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 \_\_\_\_\_

October 6, 2014

Resolution No. 2014 - 36  
Resolution of the Board of Directors  
Marina Coast Water District  
Recognition of Community Member, Mr. Dan Amadeo,  
for his Dedicated Service to the Marina Coast Water District as a Member on the  
Water Conservation Commission

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on October 6, 2014 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Dan Amadeo was appointed in January 2010 to serve as a member on the Water Conservation Commission of the Marina Coast Water District; and,

WHEREAS, during his tenure, Dan rendered superior service to the District by providing invaluable participation and insights, and by contributing significant personal time.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby express its gratitude and commends Dan Amadeo for outstanding and dedicated service to the District and the Committee's of the Board.

PASSED AND ADOPTED on October 6, 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:

\_\_\_\_\_  
Paula Riso, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-36 adopted October 6, 2014.

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Paula Riso, Deputy Secretary



Marina Coast Water District  
Agenda Transmittal

Agenda Item: 9

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consent Calendar

Detailed Description: Consent calendar consisting of:

A) Approve the Draft Minutes of the Regular Board Meeting of September 2, 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: 9-A

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of September 15, 2014

Detailed Description: The Board of Directors is requested to approve the draft minutes of September 15, 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 September 15, 2014.

Staff Recommendation: The Board of Directors approve the draft minutes of the September 15, 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: 10-A

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Discussion Regarding District Private Fire Service Fees

Detailed Description: On July 21, 2014, several members of the public spoke during Oral Communications regarding their recent bills which included charges for their private fire service lines. The recently adopted fees and budget included increased charges in private fire service fees and took effect July 1, 2014. These fees were included as part of the District's rate study and noticed through the Proposition 218 process.

Staff has met with some of the concerned business owners and continues to work toward a resolution. On August 18, 2014 staff provided the Board with an update on the fire service fee and promised to bring back more information.

Staff has conducted a field audit of the number of fire services that exist in each cost center. The adjusted current fire service count is contained in Table 1, along with a review of how the new service count would impact rates for each cost center.

The attached Carollo September 2014 memo provides additional details of how the District arrived at current fire service charges.

The attached Revenue Impact Spreadsheet shows alternative results of adjusting the current fire service fees.

While the number of fire services in the Central Marina Cost Center went up, the number of equivalent units actually went down, thus increasing the potential individual cost per fire service. Staff does not recommend increasing the fire service fees based on the new tally. Additionally, the District can not increase costs without conducting another 218 process.

The number of fire services in the Ord Cost Center did go up, along with the number of equivalent units, thereby decreasing the cost per individual fire service. Staff recommends that the Board authorize staff to prepare a resolution reducing the fire service fees to the Ord Community based on the field verified tally conducted in September 2014. New fire service fees are outlined in Column 7 of Table 1, attached.

During the field audit it was noticed that a number of fire services are smaller than the laterals that they are connected too. For example, a six inch lateral could be providing service to a four inch fire service. Similar situations are encountered in residential service where a one inch lateral is installed to provide service with a 3/4" meter. In the situation of residential services, the District bills the customer based on the size of the meter, not the size of the lateral. A similar proposal could be made for fire services, whereby the fee imposed is based on the size of the fire service, not the fire lateral. The logic behind this arrangement is that a four inch fire service can

only use four inches worth of water, regardless of the lateral it is connected too. The cost impact to the District is unknown at this time. The District would need to conduct a public relations campaign to alert existing fire service customers to the change in policy and ask them to assist us in verifying the size of their fire service, not lateral.

Additional complications arise when a single fire service provides protection to multiple buildings and/or multiple customers. A reasonable accommodation may be to charge the fee based on the aggregate size of the combined fire services to each building. Staff would need to review options and bring back a recommendation, along with a draft policy for Board discussion.

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     No

Funding Source/Recap: None.

Material Included for Information/Consideration: September 2014 Carollo Memo discussing Fire Service Fees; Table 1 showing original and revised fire service counts per cost center; staff spreadsheet detailing potential revenue impact of adjusting fire service fees.

Staff Recommendation: Authorize staff to prepare a resolution reducing the fire service fees to the Ord Community based on the field verified tally conducted in September 2014. Authorize staff to pursue developing a policy whereby fire service customers are charged based on the size of their fire system and not on the size of the lateral.

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: 10-B

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Discussion and Possible Action on Attorney Evaluations

Detailed Description: The Board of Directors requested to hold discussion on possible attorney evaluations. The Board will decide if they want to hold attorney evaluations and if so, which attorney(s) they want to evaluate and on what basis. The District contracts with several legal firms including:

- 1) General Legal Counsel, Griffith & Masuda, LLC
- 2) Special Human Resource Legal Counsel, McPharlin, Sprinkles & Thomas, LLC
- 3) Special Prop 218 Legal Counsel, Aleshire & Wynder, LLC
- 4) Special Litigation Counsel, Friedman & Springwater, LLC
- 5) Special Litigation Counsel, Richards, Watson & Gershon, LLC
- 6) Special Litigation Counsel, Remy Moose and Manley, LLC
- 7) Special Counsel, Churchwell White, LLC

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: 10-C

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-39 to Adopt an Updated Water Shortage Contingency Plan, and Resolution No. 2014-34 to Declare Water Conservation Stage 3 as required by the State Water Resource Control Board's Emergency Mandatory Water Conservation Regulations

Detailed Description: The State Water Resources Control Board's (SWRCB) Emergency Mandatory Water Conservation Regulations (Emergency Regulations) went into effect on July 29, 2014. Since MCWD supplies more than 3,000 acre-feet of water annually, it is classified as an "urban water supplier" pursuant to Water Code Section 10617. The Emergency Regulations specifically require the following:

To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

Under the District's Water Shortage Contingency Plan (District Plan), mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water are not required until Water Conservation Stage 3.

Water Code Section 10632 required the District to adopt an Urban Water Shortage Contingency Plan in response to water supply shortages. Since the triggering mechanisms for the various Stages of the District Plan relate more to catastrophic interruption of water supply or seawater intrusion rather than State-wide drought, staff has revised the water shortage contingency plan as needed to include a drought response. The revised draft plan also includes updated references to the relevant provisions of the Water Code, and text changes to clarify the difference between triggers and conservation measures. A tracked-changes comparison of the current and proposed plans is provided.

The Water Shortage Contingency Plan is a mandatory element of the District's Urban Water Management Plan. The District has adopted these plans under separate resolutions. Therefore, updating the Water Shortage Contingency Plan does not require re-adoption of the Urban Water Management Plan. The updated Water Shortage Contingency Plan must be provided to the State Department of Water Resources for their files.

In addition to a table of water use restrictions, Water Conservation Stage 3 also requires the District to prescribe an allotted quantity of water per billing cycle for each water service connection and to not issue building permits or install new meters for new accounts that had not received building permits before the "Severe Shortage" was declared. Since an actual "Severe Shortage" does not exist, District staff recommends that these two Stage 3 requirements **not** be

implemented at this time but that the remainder of the table of Stage 3 water use restrictions be implemented at this time.

Environmental Review Compliance: None required.

Prior Committee or Board Action: At the regularly scheduled August 18, 2014 meeting the Board requested that staff revise the water shortage contingency plan to apply to Statewide drought response.

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: Resolution No. 2014-39; Current District Water Shortage Contingency Plan, adopted June 14, 2011; Proposed Updated District Water Shortage Contingency Plan Redlined; Proposed Updated District Water Shortage Contingency Plan Final; Resolution No. 2014-34; SWRCB Resolution 2014-0038; Mandatory Water Conservation Regulations Fact Sheet; and 7-2014 SWRCB Press Release.

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2014-39 adopting an updated Water Shortage Contingency Plan, and Resolution No. 2014-34 declaring Water Conservation Stage 3 as required by the SWRCB’s Emergency Regulations.

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 \_\_\_\_\_

October 6, 2014

Resolution No. 2014-39  
Resolution of the Board of Directors  
Marina Coast Water District  
Adopting an Updated Water Shortage Contingency Plan

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on October 6, 2014, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, Section 10632 of the California Water Code requires the Marina Coast Water District to maintain a Water Shortage Contingency Plan within its Urban Water Management Plan; and,

WHEREAS, the District maintains a Water Shortage Contingency Plan and desires to update said plan in accordance with the Water Code and provide a guidance document for management of water shortages within the District; and,

WHEREAS, the District desires to incorporate mandatory water conservation measures due to drought conditions in the Water Shortage Contingency Plan.

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

1. Approve and adopt the attached Water Shortage Contingency Plan, and,
2. Authorize the Interim General Manager to file the Water Shortage Contingency Plan with the California Department of Water Resources.

PASSED AND ADOPTED on October 6, 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:

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Paula Riso, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-39 adopted October 6, 2014.

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Paula Riso, Deputy Secretary

October 6, 2014

Resolution No. 2014-34  
Resolution of the Board of Directors  
Marina Coast Water District  
Declaring Water Conservation Stage 3 as Required by the State Water Resource Control Board's  
Emergency Mandatory Water Conservation Regulations

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("MCWD"), at a regular meeting duly called and held on October 6, 2014, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the State Water Resources Control Board (SWRCB) adopted Mandatory Water Conservation Regulations (Emergency Regulations), which went into effect on July 29, 2014; and,

WHEREAS, the District supplies more than 3,000 acre-feet of water annually and, therefore, the District is classified as an "urban water supplier" pursuant to Water Code Section 10617; and,

WHEREAS, the Emergency Regulations specifically require the following:

To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

WHEREAS, on October 6, 2014, the District adopted a Water Shortage Contingency Plan (District Plan) pursuant to Water Code Section 10632; and,

WHEREAS, under the District Plan, mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water are not required until Stage 3; and,

WHEREAS, the District' water supply is not actually experiencing a severe water shortage; and,

WHEREAS, the Emergency Regulations require the Board of Directors to declare a Water Conservation Stage 3 even though the District is not actually experiencing a severe water shortage.

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

1. Declare a Water Conservation Stage 3 under the District Plan as mandated by the SWRCB.

2. Find that since the District's water supply is not actually experiencing a severe water shortage, the following Stage 3 requirements shall **not** be implemented at this time, but shall be subject to periodic review by the Board of Directors:

a. "Each water service connection shall receive an allotted quantity of water, typically specified in hundred cubic feet (hcf) units per billing cycle."

b. "No building permits will be issued or meters installed for new accounts that had not received building permits before the 'Severe Shortage' was declared."

3. The Stage 3 mandatory water use restrictions set forth in the District Plan's restrictions table for Stage 3 shall be implemented effective with the adoption of this Resolution.

4. Direct staff to notify all customers in writing of this decision within 10 days of the date of adoption.

PASSED AND ADOPTED on October 6, 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:

\_\_\_\_\_  
Paula Riso, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-34 adopted October 6, 2014.

\_\_\_\_\_  
Paula Riso, Deputy Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-D

Meeting Date: October 6, 2014

Submitted By: Brian C. Lee

Presented By: Brian C. Lee

Agenda Title: Consider Adoption of Resolution No. 2014-40 to Approve Recommended Revisions to the Board Procedures Manual

Detailed Description: Over the past year, the Board of Directors has discussed revising the Board Procedures Manual (BPM). Staff reviewed the BPM and on August 4, 2014 provided revisions for the Board to review. Staff was directed to provide the Board with an electronic document so they could provide their changes by the end of August. On September 2<sup>nd</sup>, the Board requested an extension to September 15<sup>th</sup> to provide their changes. To date, only one Director replied and had no additional changes. Therefore, staff's recommended revisions are provided for approval.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The Board of Directors last amended Section 42 of the Board Procedures Manual in June 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     \_\_\_ **X** \_\_\_ No

Funding Source/Recap: None

Material Included for Information/Consideration: Resolution No. 2014-40; and, redlined Board Procedures Manual.

Staff Recommendation: The Board of Directors consider approving revisions to the Board Procedures Manual.

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

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Board Action

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

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

Noes \_\_\_\_\_     Absent \_\_\_\_\_

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

October 6, 2014

Resolution No. 2013-57  
Resolution of the Board of Directors  
Marina Coast Water District to  
Approving Revisions to the Board Procedures Manual

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on October 6, 2013 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, the original Board Procedures Manual (BPM) was adopted on April 24, 2002 and was last revised on June 2, 2014; and,

WHEREAS, the BPM is a resource for directors, staff and the public that defines the roles, responsibilities and procedures of the Board; and,

WHEREAS, the BPM is in need of revision from time-to-time due to outdated information and policies; and,

WHEREAS, staff has provided recommended revisions and updates to the BPM for Board consideration.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the suggested revisions and updates to the Board Procedures Manual and directs staff to finalize the revisions.

PASSED AND ADOPTED on October 6, 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:

\_\_\_\_\_  
Paula Riso, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-40 adopted October 6, 2014.

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Paula Riso, Deputy Secretary

Marina Coast Water District  
Agenda Transmittal

Agenda Item: 10-E

Meeting Date: October 6, 2014

Submitted By: James Derbin

Presented By: James Derbin

Agenda Title: Consider Adoption of Resolution No. 2014-31 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program

Detailed Description: The Board of Directors shall consider adopting Resolution No. 2014-31 approving a Memorandum of Understanding (MOU) between the Marina Coast Water District (MCWD) and the Monterey Peninsula Unified School District (MPUSD) regarding the In-School Water Conservation Education Program.

The MPUSD and MCWD have worked together for more than twelve years to bring water conservation education to students in the district's service area. This agreement continues this long-standing relationship between the two partners and provides the means to integrate water conservation instruction into the curriculum at five elementary schools for the 2014-2015 School Year. The primary goal of this program is to educate the local children about earth science, the properties of water, and the importance of practicing water conservation every day.

Teacher survey results, and positive feedback from school administrators, students, and their families, indicate that unique and effective professional classroom instruction is provided through this education program (see attached). The MCWD conservation education program is valued by MPUSD school faculty and staff, and the local community it serves. Results of a 2008 study of the program's effectiveness were very positive (see attached). The 2008 study clearly indicated student knowledge and comprehension of water conservation and science increased following classroom instruction.

MCWD will reimburse MPUSD for the classroom instruction at a rate of \$30.08 per hour plus statutory benefits, not to exceed \$25,800. An accredited, experienced, MPUSD Science Teacher will conduct approximately 160 classroom presentations, providing targeted instruction to over 1200 students, and 60 teachers three times each school year. The water conservation instruction provided is designed to meet the state academic curriculum standards and it is age appropriate for the children taught in grades kindergarten through third grade.

Environmental Review Compliance: None required.

Prior Committee or Board Action: The MCWD Water Conservation Commission has recommended approval of this MOU. On August 4, 2014, the Board reviewed this item and had a split vote of 2-2 with one absent. On August 6, 2014, Director Shriner requested to bring it back on September 2<sup>nd</sup>.

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     No

Funding Source/Recap: This item is funded through the FY 2014/2015 Conservation Budget of the Central Marina and Ord Community cost centers.

Material Included for Information/Consideration: Resolution No. 2014-31, Draft MOU between MCWD and Monterey Peninsula Unified School District, Wonders of Water School Program Summary for 2013-2014; and, 2008 MCWD School Program Survey Results.

Staff Recommendation: The Board of Directors consider the adoption of Resolution No. 2014-31 approving an MOU between the Marina Coast Water District and the Monterey Peninsula Unified School District.

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 \_\_\_\_\_



September 2, 2014

Resolution No. 2014 - 31  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving a Memorandum of Understanding  
between Marina Coast Water District and the Monterey Peninsula Unified School District  
Regarding In-School Water Conservation Education Program With Wage and Benefit  
Reimbursements

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on September 2, 2014, at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, MCWD has developed a Memorandum of Understanding (MOU) with the Monterey Peninsula Unified School District regarding the In-School Water Conservation Education Program that will facilitate the teaching of water conservation education; and,

WHEREAS, documentation has been provided to the Board supporting continuation of the program; and,

WHEREAS, the MOU is an agreement to formalize planning and execution of the In-School Water Conservation Education Program; and,

WHEREAS, water conservation is within the District’s Mission and the funding for this MOU is included in the District’s budget for FY 2014/2015 under Conservation Education with a not to exceed amount of \$25,800.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve the proposed Memorandum of Understanding regarding the In-School Water Conservation Education Program.

BE IT FURTHER RESOLVED, that the Board of Directors does hereby authorize the General Manager or the Deputy General Manager/District Engineer to sign the MOU.

PASSED AND ADOPTED on September 2, 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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Paula Riso, Deputy Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2014-31 adopted September 2, 2014.

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Paula Riso, Deputy Secretary