



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

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President

JAN SHRINER
Vice President

HERBERT CORTEZ
PETER LE
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Agenda

**Regular Board Meeting/Board Workshop, Board of Directors
Marina Coast Water District**

and

**Regular Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency**

Monday, April 20, 2020, 6:30 p.m. PST

Due to Governor Newsom's Executive Order N-29-20 and recommendations on protocols to contain the spread of COVID-19, staff and Board members will be attending the April 20, 2020 meeting remotely from various locations and the meeting will be held via Zoom conference. There will be NO physical location of the meeting. The public is strongly encouraged to use the Zoom app for best reception.

There may be limited opportunity to provide verbal comments during the meeting. Persons who are participating via telephone will only be allowed to listen to the proceedings as there is no opportunity for them to be acknowledged for comments. If they wish to address the Board for public comment or on an item on the agenda, they are encouraged to submit comments in writing to Paula Riso at priso@mcwd.org by 9:00 am on Monday, April 20, 2020; such comments will be distributed to the MCWD Board before the meeting.

Members of the public participating by Zoom will be placed on mute during the proceedings and will be acknowledged only when public comment is allowed, after requesting and receiving recognition from the Board President.

Prior to the meeting, participants should download the Zoom app at:

<https://zoom.us/download> A link to simplified instructions for use of the Zoom app is: <https://blog.zoom.us/wordpress/2018/07/03/video-communications-best-practice-guide/>

This meeting may be accessed remotely using the following Zoom link:

<https://zoom.us/j/93929746741?pwd=dG95d1o3Q01lYXJrUVpaWjI3L2czdz09> Password: 494644

To participate via phone, please call: 1-669-900-9128; Meeting ID: 939 2974 6741 Password: 494644

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

This agenda is subject to revision and may be amended prior to the scheduled meeting. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the District offices at 11 Reservation Road and 2840 4th Avenue, Marina. The agenda shall also be posted at the following locations but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): City of Marina Council Chambers. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Wednesday, April 15, 2020. 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.

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

- 1) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case Nos. CGC-15-547125, CGC-15-546632 (Complaint for Damages, Breach of Warranties, etc.)
- 2) Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu vs Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey and Does 1-25, inclusive, Monterey County Superior Court Case No. 18CV000765 (Petition for Writ of Mandate or Administrative Mandate, and Complaint for Declaratory and Injunctive Relief and Breach of Contract)
- 3) Marina Coast Water District, and Does 1-100 v, County of Monterey, County of Monterey Health Department Environmental Health Bureau, and Does 101-110, Monterey County Superior Court Case No. 18CV000816 (Petition for Writ of Mandate and Complaint for Injunctive Relief)
- 4) Marina Coast Water District, and Does 1-100 v, County of Monterey, Monterey County Board of Supervisors, and Does 101-110 (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 19CV003305 (Petition for Writ of Mandate and Complaint for Injunctive Relief)

B. Pursuant to Government Code 54956.9(d)(4)
Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation – Two Potential Cases

7:00 p.m. Reconvene Open Session

5. Reportable Actions Taken During Closed Session *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present, and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*

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. Presentation

- A. Consider Adoption of Resolution No. 2020-18 in Recognition and Appreciation of Thomas Barkhurst and to Adjourn the Meeting in his Memory

9. Consent Calendar

- A. Receive and File the Check Register for the Month of March 2020
- B. Consider Approval of the 2019 Consumer Confidence Report for the Marina Coast Water District Water System, Central Marina and Ord Community
- C. Consider Adoption of Resolution No. 2020-19 to Authorize a Notice of Completion for the Inter-Garrison Road Water Distribution Pipeline Project be Filed with the Monterey County Recorder
- D. Consider Adoption of Resolution No. 2020-20 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election Set for November 3, 2020
- E. Approve the Draft Revised Minutes of the Regular Joint Board/GSA Meeting of March 16, 2020

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

- A. Consider Adoption of Resolution No. 2020-21 to Approve a Water Supply Assessment for the Marina Downtown Vitalization Specific Plan

Action: The Board of Directors will consider approving a Water Supply Assessment for the Marina Down Vitalization Specific Plan.

- B. Consider Adoption of Resolution No. 2020-22 to Approve a Water Supply Assessment and Written Verification of Supply for the Marina Municipal Airport Business and Industrial Park / UCMBEST Center

Action: The Board of Directors will consider approving a Water Supply Assessment and Written Verification of Supply for the Marina Airport Business and Industrial Park / UCMBEST Center.

- C. Consider Adoption of Resolution No. 2020-23 to Approve Amendment No. 8 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project

Action: The Board of Directors will consider approving an amendment with Carollo Engineers for design of the Regional Urban Water Augmentation Project Distribution Mains Project.

- D. Consider Adoption of Resolution No. 2020-24 to Approve a Building Removal Funding Agreement between Marina Coast Water District and the Fort Ord Reuse Authority

Action: The Board of Directors will consider approving a Building Removal Funding Agreement between Marina Coast Water District and the Fort Ord Reuse Authority.

- E. Consider Adoption of Resolution No. 2020-25 to Approve a New Classification, Job Description and Salary Range for an Administrative Analyst for the Operations and Maintenance Department

Action: The Board of Directors will consider approving a new classification, job description and salary range for an Administrative Analyst for the Operations and Maintenance Department.

- F. Consider Adoption of Resolution No. 2020-26 to Approve the Restructuring of the Accounting Department and the New Classification, Job Description and Salary Range for an Accountant

Action: The Board of Directors will consider approving a new classification, job description and salary range for an Accounting Position for the Finance Department.

- G. Consider Providing Direction to the Board President Regarding the Election of One Special District Representative to the Local Agency Formation Commission of Monterey County

Action: The Board of Directors will consider providing direction to the Board President regarding the election of one Special District Representative to the Local Agency Formation Commission of Monterey County.

11. Budget Workshop

- A. Receive Presentation on Draft District FY 2020-2021 Budget, Rates, Fees and Charges for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final Budget Documents
- B. Receive District Draft Five-Year Capital Improvements Projects Budget for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final CIP Budget Documents

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

- A. General Manager's Report
 - 1. Receive an Update on the District's Procedures Regarding Shut-Offs for Delinquent Accounts
- B. Counsel's Report

13. Board Member Requests for Future Agenda Items

14. Director's Comments *Director reports on meetings with other agencies, organizations and individuals on behalf of the District and on official District matters.*

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

*Regular Meeting: Monday, May 18, 2020, 6:30 p.m.,
District Office, 11 Reservation Road, Marina
Via Videoconference Meeting*