



# MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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

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

## DIRECTORS

JAN SHRINER  
President

THOMAS P. MOORE  
Vice President

HERBERT CORTEZ  
GAIL MORTON  
MATT ZEFFERMAN

## Agenda

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

**and**

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

Monday, June 21, 2021, 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 June 21, 2021 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 need to press \*9 to be acknowledged for comments. 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. Public comment can also be submitted in writing to Paula Riso at [priso@mcwd.org](mailto:priso@mcwd.org) by 9:00 am on Monday, June 21, 2021; such comments will be distributed to the MCWD Board before the meeting.

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

<https://us02web.zoom.us/j/84391790406?pwd=c2s4eFJZbFZTcEFzYzUzbiRjRzBRUT09>

Passcode: 285923

To participate via phone: 1-669-900-9128; Meeting ID: 843 9179 0406 Passcode: 285923

***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.*

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, 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, June 16, 2021. 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

#### 4. Closed Session

##### A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) 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)
- 2) California-American Water Company, Real Party in Interest vs Marina Coast Water District, Court of Appeal, Sixth Appellate District Case No. (to be assigned; Cal-Am filed Notice of Appeal on May 25, 2021) (CalAm's appeal of decision by Trial Court in MCWD's favor in MCWD's Monterey County Superior Court Case No. 19CV003305 (Petition for Writ of Mandate and Complaint for Injunctive Relief))
- 3) Appeal No. A-3-MRA-19-0034 by California-American Water Company to the California Coastal Commission over Denial by the City of Marina for a Coastal Development Permit for Construction of Slant Intake Wells for the Monterey Peninsula Water Supply Project
- 4) City of Marina vs. RMC Lonestar [CEMEX], California-America Water Company, Marina Coast WD, et al Defendants, Monterey County Superior Court Case No. 20CV001387 (Complaint for Breach of Contract, Declaratory Relief under the Agency Act, and Tortious Interference with Existing Contract)
- 5) California-American Water Company and Monterey County Water Resources Agency vs Marina Coast Water District, Court of Appeal, First Appellate District Case No. A160662 (CalAm's appeal from Trial Court's granting of summary adjudication of CalAm's tort causes of action in favor of MCWD)

##### B. Pursuant to Government Code 54957

Public Employee Performance Evaluation

Title: General Manager

#### 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. Adopt Resolution No. 2021-32 Congratulating and Recognizing Michael Wegley on his Retirement as the District Engineer with 6 Years of Service to Marina Coast Water District

## 9. Consent Calendar

- A. Receive and File the Check Register for the Month of May 2021
- B. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of May 10, 2021
- C. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 17, 2021
- D. Adopt Resolution No. 2021-33 to Authorize a Notice of Completion for the Human Machine Interface Project to be Filed with the Monterey County Recorder
- E. Adopt Resolution No. 2021-34 to Approve a Water, Sewer and Recycled Water Infrastructure Agreement between the Marina Coast Water District and Shea Homes Limited Partnership for the Enclave at Cypress Grove Seaside Resort Project

## 10. Public Hearing

- A. Conduct a Public Hearing to Receive Public Comment on the Draft 2020 Urban Water Management Plan

**11. 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. Adopt Resolution No. 2021-35 to Adopt the District's 2020 Urban Water Management Plan
- B. Adopt Resolution No. 2021-36 to Accept the District's Five-Year Capital Improvement Projects Plan
- C. Adopt Resolution No. 2021-37 to Approve the Marina Coast Water District Budget for FY 2021-2022
- D. Adopt Resolution No. 2021-38 to Approve a Revision to the Board Procedures Manual - Section 36 – Board Member Compensation
- E. Provide Direction Regarding Election to the Coastal Network, Seat A, of the California Special Districts Association Board

## 12. Staff Report

- A. Receive an Update on the Fiscal Impacts to the District due to Covid-19

**13. 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

B. Counsel's Report

C. Committee and Board Liaison Reports

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| 1. Water Conservation Commission  | 6. M1W Board Member Liaison        |
| 2. Joint City-District Committee  | 7. LAFCO Liaison                   |
| 3. Executive Committee            | 8. JPIA Liaison                    |
| 4. Community Outreach Committee   | 9. Special Districts Association   |
| 5. Budget and Personnel Committee | 10. MCWD/SVBGSA Steering Committee |

**14. Correspondence**

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

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

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

*Regular Meeting: Monday, July 19, 2021, 6:30 p.m.*