



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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DIRECTORS

JAN SHRINER
President

THOMAS P. MOORE
Vice President

HERBERT CORTEZ
GAIL MORTON
MATT ZEFFERMAN

Agenda

**Special Board Meeting, Board of Directors
Marina Coast Water District
and**

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

Monday, August 2, 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 August 2, 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 by 9:00 am on Monday, August 2, 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/88071673482?pwd=ME5MWWt4VjU2c3M4UUhsaVcyNGFPZz09>

Passcode: 725933

To participate via phone: 1-669-900-9128; Meeting ID: 880 7167 3482 Passcode: 725933

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

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

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

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, Thursday, July 29, 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

5. Presentation

- A. Receive a Presentation from Liberty Utilities on Their Proposed Brackish Desalination Project

6. Action Item *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. 2021-43 to Approve a Contract with the Pun Group to Provide Audit Services to the District

7. 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.*

8. 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))
- B. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Approximately 450AF of Recycled Water
Negotiating Parties: City of Seaside and MCWD Negotiators (to be determined)
Under Negotiation: Price and Terms
- C. Pursuant to Government Code 54957
Public Employee Performance Evaluation
Title: General Manager

9. 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.*

10. Board Member Requests for Future Agenda Items

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

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

Special Legal Meeting: Monday, August 14, 2021, 9:00 a.m.

Regular Meeting: Monday, August 16, 2021, 6:30 p.m.