



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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

DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HERBERT CORTEZ
MATT ZEPPERMAN

Agenda

Special Board Meeting, Board of Directors Marina Coast Water District

Tuesday, January 5, 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 January 5, 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 Tuesday, January 5, 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/83586063739?pwd=YIRkemw1VGNaUitBTWxhdWQ3RzUxdz09>

Passcode: 668563

To participate via phone, please call: 1-669-900-9128; Meeting ID: 835 8606 3739; Passcode: 668563

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. 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, December 31, 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.

5. 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. 2021-01 to Approve an Extension of the Emergency Paid Sick Leave Period under the Families First Coronavirus Response Act

B. Recognize the Resignation of Director Peter Le effective December 24, 2020, Declare a Vacancy on the Board of Directors, Decide Whether to Fill the Vacancy by Appointment or by Special Election and if by Appointment, Set Date for Applicant Interviews and Consideration of Appointment to Fill the Vacancy

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

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

Regular Meeting: Wednesday, January 20, 2021, 6:30 p.m.

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-A

Meeting Date: January 5, 2021

Prepared By: Rose Gill

Approved By: Derek Cray

Agenda Title: Consider Adoption of Resolution No. 2021-01 to Approve an Extension of the Emergency Paid Sick Leave Period under the Families First Coronavirus Response Act

Staff Recommendation: The Board of Directors adopt Resolution No. 2021-01 to approve an Extension of the Emergency Paid Sick Leave period under the Families First Coronavirus Response Act.

Background: Strategic Plan, Strategic Element 5.0 – Organizational Health & Personnel. Our objective is to recruit and retain a highly qualified, diverse, and inspired workforce that delivers the essential services of our mission statement to the public while providing outstanding customer service. Our strategy is to utilize sound policies and personnel practices, offer competitive compensation and benefits, employee tenure recognition, and provide opportunities for training, development, and professional growth while ensuring a safe and secure workplace.

The Families First Coronavirus Response Act (FFCRA) provided employees with 80 hours of Emergency Paid Sick Leave (EPSL) and expanded family and medical leave. The FFCRA expired on December 31, 2020.

Discussion/Analysis: Monterey County continues to have a high rate of COVID-19. Staff would like to recommend the District extend the EPSL period under the FFCRA until the second quarter of 2021. Staff believes that providing EPSL would provide a safe and secure workplace for our employees and it would give assurance to employees that may be exposed to COVID-19 that they can quarantine if needed, without worry of having enough accrued leave in order to do so.

If approved, the EPSL period would be extended through June 30, 2021 and would only affect the employees that have an unused balance of EPSL as of December 31, 2020.

Environmental Review Compliance: None.

Financial Impact: Yes No Funding Source/Recap: Funding for this benefit will be from available budget of vacant positions.

Material Included for Information/Consideration: None.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

January 5, 2021

Resolution No. 2021-01
Resolution of the Board of Directors
Marina Coast Water District
Approving an Extension of the Emergency Paid Sick Leave under the
Families First Coronavirus Response Act

RESOLVED by the Board of Directors (“Board”) of the Marina Coast Water District (“District”), at a special meeting duly called and held on January 5, 2021 via a video conference pursuant to Governor Newsom’s Executive Order N-29-20, as follows:

WHEREAS, the Families First Coronavirus Response Act (FFCRA) provided employees with 80 hours of Emergency Paid Sick Leave (EPSL); and,

WHEREAS, the FFCRA expired on December 31, 2020; and,

WHEREAS, staff recommends the District extend the EPSL period of the FFCRA until June 30, 2021 in order to give assurance to employees who may be exposed to COVID-19 that they can quarantine if needed, without worry of having enough accrued leave in order to do so.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2021-01, to approve an Extension of the Emergency Paid Sick Leave period under the Families First Coronavirus Response Act through June 30, 2021.

PASSED AND ADOPTED on January 5, 2021, 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 _____

Jan Shriner, President

ATTEST:

Keith Van Der Maaten, 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. 2021-01 adopted January 5, 2021.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 5-B

Meeting Date: January 5, 2021

Prepared By: Derek Cray

Approved By: Derek Cray

Agenda Title: Recognize the Resignation of Director Peter Le effective December 24, 2020, Declare a Vacancy on the Board of Directors, Decide Whether to Fill the Vacancy by Appointment or by Special Election and if by Appointment, Set Date for Applicant Interviews and Consideration of Appointment to Fill the Vacancy

Staff Recommendation: The Board of Directors acknowledge and declare a vacancy on the Board of Directors, determine whether to fill the vacancy by appointment or by special election and if by appointment, set dates for applicant interviews and consideration of appointment to fill the vacancy.

Background: *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.*

On December 24, 2020 Board President Shriner received an email from Director Le which stated he would be resigning from the Board of Directors with an effective date of December 24, 2020. Director Le's seat was set to expire on December 2, 2022.

Discussion/Analysis: In accordance with Government Code Section 1780, staff notified the Monterey County Elections Department, and also notified the Clerk to the Board of Supervisors, of the resignation on December 29, 2020, within the 15 day requirement of receiving the notice.

Per Government Code Section 1780, the District may decide to either fill the vacancy by appointment or hold a special election. If the Board desires to proceed by appointment, Government Code Section 1780 requires a notice of the vacancy and intent to replace by appointment, to be posted at least 15 days prior to the meeting at which the appointment will be made. Also, the Board must make the appointment within 60 days from receipt of the resignation, otherwise the County Board of Supervisors may instead appoint a person to fill the vacancy. The deadline for MCWD to fill the vacancy by appointment within the 60 day window is February 22, 2021.

In the event the Board determines to fill the vacancy via appointment, the following table is a suggested timeline with key dates and information:

| | Dates: | Information: |
|--|--|--|
| Vacancy Operative Date | December 24, 2020 | Date of Director Le's effective resignation. |
| Post Notice of Vacancy in at least 3 conspicuous places within the District | As soon as possible after the January 5, 2021 Special Meeting, but no later than February 1, 2021. | Post the notice of vacancy at: Marina City Hall, Marina Post Office, Seaside City Hall, District Reservation Road office, and the District's website. |
| Regular Board Meeting to Appoint New Director | Tuesday, February 16, 2021 | Directors would interview in public session candidates and would then vote on a candidate with a majority vote affirming the new Director appointment. |
| Deadline to Appoint a New Director | Monday, February 22, 2021 | If no appointment is made or no Special Election is called, the County Board of Supervisors may appoint a replacement Director. |

Should the Board of Directors decide to call a special election, the estimated cost to hold a special election would be between \$30,000 and \$60,000.

Under either scenario, the newly-appointed/elected director would serve out the unexpired remainder of Director Le's term to December 2, 2022.

Environmental Review Compliance: None required.

Financial Impact: X Yes No Funding Source/Recap: If the Board decides to hold a Special Election, the cost would be between \$30,000 and \$60,000. If the Board decides to appoint a Director, no additional costs will be incurred by the District.

Other Considerations: None.

Material Included for Information/Consideration: Copy of Director Le's resignation letter; and, a copy of the Notice of Vacancy.

Action Required: Resolution X Motion Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

From: Peter Le <DirectorLe@mcwd.org>
Sent: Thursday, December 24, 2020 2:29:05 PM
To: Jan Shriner <DirectorShriner@mcwd.org>
Subject: Resignation

Dear President Shriner:

I like to submit my resignation from the MCWD Board, effective on December 24, 2020.
I wish the Board and the District all the best.
Merry Christmas.

Peter Le

This electronic mail (including any attachments) may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic email or its contents (including any attachments) by persons other than the intended recipient(s) is strictly prohibited. If you have received this message in error, please notify us immediately by reply email so that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you.



NOTICE OF VACANCY

Interested persons are hereby notified that pursuant to Cal. Government Code §1780 there is a vacancy on the

MARINA COAST WATER DISTRICT BOARD OF DIRECTORS

The MCWD Board is now accepting applications to fill the vacancy. The new appointee will fill the balance of the unexpired term of office, at which point the seat will go to election in November 2022 for a new four-year term.

In order to be qualified, you must be a registered voter who resides within the jurisdictional boundaries of MCWD. All interested and qualified persons may submit applications to the Marina Coast Water District, located at 11 Reservation Road, Marina, CA 93933-2099. Applications can also be emailed to Paula Riso at priso@mcwd.org. An official map of the District boundaries may be found at www.mcwd.org/docs/governance/10-31-2019%20Marina%20Coast%20LAFCO%20map.pdf or at www.co.monterey.ca.us/home/showpublisheddocument?id=83947.

All applications must be submitted on or before 5:00 p.m. on February 4, 2021. An interactive, and a printable application can be found on the District website at https://www.mcwd.org/governance_meetings.html. It is anticipated that all Applicants will be interviewed by the Board of Directors at its February 16, 2021 regular meeting via Zoom, due to Governor Newsom's Executive Order N-29-20 and recommendations on protocols to contain the spread of COVID-19. Any Applicant who is unable to participate in the meeting and be interviewed should so indicate in his or her application.

Telephone: (831) 384-6131

Website Address: www.mcwd.org

Pursuant to Cal. Gov't Code §1780, this notice will be posted for at least 15 days prior to appointment in 3 or more conspicuous locations in the District.