



REVISED 4-13-2023 at 2:45 pm

MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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DIRECTORS

JAN SHRINER
President

HERBERT CORTEZ
Vice President

BRAD IMAMURA
THOMAS P. MOORE
GAIL MORTON

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
Hybrid Meeting - Dual Locations**

**920 2nd Avenue, Suite A, Marina, California
and
3893 E Loma Vista Street, Gilbert, AZ 85295
and
Zoom Teleconference**

Monday, April 17, 2023, 6:30 p.m. PST

Staff and Board members will be attending the April 17, 2023 meeting in person. Members of the public may attend the Board meeting in person or can continue to attend remotely via Zoom conference.

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 on the action item can also be submitted in writing to Paula Riso at priso@mcwd.org by 9:00 am on Monday, April 17, 2023; 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/82758206549?pwd=RGNzT01MQVFOVGg5dVNiWlBR0tRdz09>

Passcode: 837965

To participate via phone, please call: 1-669-900-9128; Meeting ID: 827 5820 6549 Passcode: 837965

Our Mission: We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.

1. Call to Order

2. Roll Call

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. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Wednesday, April 12, 2023. 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: 831-883-5931.

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 54957 (a)
Threat to Public Services or Facilities
Consultation With District Counsel and Information Technology Administrator
- B. Conference with Legal Counsel – Existing Litigation
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
 - 1. California-American Water Company, Monterey County Water Resources Agency v. Marina Coast Water District, San Francisco Superior Court Case No. CGC-15-546632 (Complaint for Damages)
 - 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)

Reconvene to Open Session Estimated to be at 8:00 p.m.

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. Consent Calendar

- A. Receive and File the Check Register for the Month of March 2023
- B. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of March 20, 2023
- C. Receive the 2022 Consumer Confidence Report for the Marina Coast Water District Water System
- D. Receive the 1st Quarter 2023 MCWD Water Consumption Report
- E. Receive the 1st Quarter 2023 Sewer Flow Report
- F. Receive a Status Report Update on Current Capital Improvement Projects

G. Adopt Resolution No. 2023-12 to Change the Title of the Administrative Analyst Position to Operations and Maintenance Coordinator

9. 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. 2023-13 to Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 Sewer System Easements for the Dunes of Monterey Bay Phase 2 West, Marina, CA

B. Adopt Resolution No. 2023-14 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 Sewer System Easements for the Dunes of Monterey Bay Phase 1B Promenade, Marina, CA

C. Adopt Resolution No. 2023-15 to Modify the FY 2022-2023 Budget by Transferring Funds from Capacity Fee Reserves to the Capital Improvement Program Project GW-0123 for FY 2022-2023

D. Receive the 2022 Year in Review Report

10. 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. Committee and Board Liaison Reports

1. Budget and Engineering Committee
2. Executive Committee
3. Community Outreach and Personnel Committee
4. M1W Board Member Liaison
5. SVBGSA Steering Committee

11. Board Member Requests for Future Agenda Items

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

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

Regular Meeting: Monday, May 15, 2023, 6:30 p.m.